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KERALA GAZETTE

SUPPLEMENTS

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GENERAL ADMINISTRATION (RULES) DEPARTMENT

G. O. (P) No. 188/82/GAD. Dated, Trivandrum, 2nd July 1982

Read :—1. G.O. (P) No. 26/77/GAD dated 25-1-1977.

2. Letter No. 2179/SST/80 dated 17-10-1980 from the Principal, Sainik School, Kazhakoottam.

3. Letter No. A II (5) 10254/82/GW dated 22-6-1982 from the Kerala Public Service Commission

ORDER

In the G.O. read above, it was ordered that the Diploma in Fine Arts (Painting) of the College of Arts and Crafts, Madras be considered as equivalent to the National Diploma in Fine Arts of the All India Council for Technical Education and a University degree in Fine Arts in the appropriate field for purposes of appointment to Public Services in the State. The Government of India had recognised the qualification with effect from 27-9-1969.

2. Government in consultation with the Kerala Public Service Commission now direct that the G.O. first read above shall be given effect from 27th September, 1969.

By order of the Governor,

V. N. ELAYATH,
Under Secretary to Government.

[P. T. O.]

To

All Heads of Departments and Offices.

All Departments (all Sections) of the Secretariat.

The Secretary, Kerala Public Service Commission (with C.L.)

The Principal, Sainik School, Kazhakoottam. ,,

The Director of Technical Education. ,,

The Registrars, Universities of Kerala, Cochin & Calicut ,,

The Registrar, High Court of Kerala, Ernakulam ,,

The Registrar, Kerala Agricultural University, Trichur ,,

The General Manager, K.S.R.T.C, Trivandrum ,,

The Secretary, Kerala State Electricity Board ,,

All Officers of the Secretariat.

The Private Secretaries to the Chief Minister and other Ministers.

The General Administration (Services-B) & (Services-G) Departments.

The Under Secretary to the Chief Secretary.

Kerala Gazette No. 36 dated 14th September 1982.
PART I

GOVERNMENT OF KERALA

Abstract

ESTABLISHMENT—TECHNICAL EDUCATION DEPARTMENT—ENGINEERING COLLEGES—PROVISIONAL GRADATION LIST OF TEACHING STAFF AS ON 31-12-1979—PUBLISHED.

HIGHER EDUCATION (G) DEPARTMENT

G. O. (Ms) No. 31/82/H. Edn. *Dated, Trivandrum, 2nd April* 1982.

Read :—From the Director of Tehnical Education letter No. Rl. 16946/81/DTE dated 13-9-1981

ORDER

In the letter read above, the Director of Technical Education has furnished the provisional gradation list of teaching staff of Engineering Colleges viz. the Director of Technical Education, and the Principals, the Professors of Government Engineering Colleges, Trivandrum and Trichur as on 31-12-1979. Government are pleased to approve the above provisional gradation list. The Director of Printing and Stationery will publish the Provisional gradation list of teaching staff of Engineering Golleges as on 31-12-1979 as Gazette extraordinary. The Director of Technical Education will circulate the list among the officers concerned inviting appeals from aggrieved persons to be presented within a period of one month from the date of publication of the list in the Gazette.

The Director of Technical Education will forward such appeals with his specific recommendation in each case to Government within 15 days of the last date of receiot of the appeals.

By order of the Governor,
B. VASANTHI,
Joint Secretary to Government.

PROVISIONAL GRADATION LIST OF PROFESSORS AND

Sl. No.	Name	Date of birth	Qualification General	Qualification Special
(1)	(2)	(3)	(4)	(5)
	Director of Technical Education			
1	Dr. S. Vasudev	27-2-1927	M.Sc.	M.Sc. Engg., Ph. D.
	Principals			
1	Dr. S. Vasudev	27-2-1927	M.Sc.	M. Sc. Engg. Ph. D.
2	Dr. P. J. George	1-7-1931	Intermediate	B.Sc. Engg. M.Sc. (USA) Ph. D. (USA)
	Professors			
1	Dr. S. Vasudev	27-2 1927	M. Sc.	M.Sc. Engg. Ph. D.
2	Dr. P. J. George	1-7-1931	Intermediate	B. Sc. Engg. M.Sc. (USA)
3	Dr. M. V. Raghavacharya	4-12-1925	Intermediate in Arts and Science Andhrapradesh	B. Sc. (Hons.) Chemistry. (Tech.) M. Tech. D Sc.
4	Dr. S. Narayanan Iyer	23-6-1930	Intermediate	B. Sc Engg. M Sc. Engg. Ph. D.
5	Dr. T. S. Ramanatha Iyer	8-10-1932	B. Sc.	B. Sc. Engg. M.Sc. Engg. Ph. D.
6	Prof. P. C. George	5-8-1931	B. Sc.	B. Sc. Engg. 68.4% M.Sc. Engg. 81.5%
7	Professor P. U. Paul	22-4-1932	Intermediate	B. E. M. C. E.
8	Dr. S. Hariharan	12-10-1930	Intermediate	B.Sc. Engg. M.Sc. Engg. Ph. D.

ASST. PROFESSORS OF ENGINEERING COLLEGES AS ON 31-12-1979.

Date of appointment Promotion to the present post	*Date of Commencement of continuous service*	*Remarks.*
(6)	(7)	(8)
1-10-1973	..	..
18-2-1970	..	OD
24-2-1975	..	..
27-9-1961	1-10-1954 Lecturer. 11-10-1957 Asst. Professor	OD
19-10-1964	28-9-1957 Lecturer 27-9-1961 Asst. Professor	OD
9-12-1964	9-12-1964	..
23-8-1965	6-10-1950 Lecturer 3-6-1959 Asst. Professor	O. D. as Joint Director in the Lal Bahadur Sastri Engg. Res arch and Consultancy Centre
25-10-1965	1-7-1953 Demonstrator 3-10-1954 Lecturer 22-4-1960 Asst. Professor	..
25-10-1965	13-9-1956 Lecturer 27-9-1961 Asst. Professor	..
25-10-1965	13-9-1956 Lecturer 27-9-1961 Asst. Professor	
25-4-1968	9-7-1951 Lecturer 21-6-1960 Asst. Professor	

(1)	(2)	(3)	(4)	(5)
9	M. S. Abdul Khader	23-5-1932	Intermediate	B. Sc. Engg. M. Tech. Ph. D.
10	Dr. R. Jayaraman	25-9-1936	Intermediate	B. Sc. Engg. M.Sc. Engg. Ph. D.
11	Dr. A. Kulathu Iyer	7-2-1936	Intermediate	B.Sc. Engg. M.Sc. Engg.
12	P. V. John	24-1-1933	B. Sc.	B. Sc. Engg. M.Sc. Engg. Ph. D.
13	N. Padmanabha Iyer	24-6-1935	Intermediate	B. Sc. Engg. M.Sc. Engg. Ph. D.
14	N. Sukasan Nair	13-1-1934	Intermediate	B. Sc. Engg. 63% M.Sc. Engg. 77% Ph. D.
15	M. R. Sreedharan Nair	8-5-1935	Intermediate	B.Sc. Engg. 73.9% M.S. (A. Grade) Ph. D.
16	D. Sreenivasan	20-4-1934	Intermediate	B. Sc. Engg. 73.5% M. Sc. Engg. 86.7%
17	Dr. K. P. Parameswaran Pillai	28-8-1936	Intermediate	M. Sc. Engg. Ph. D.
18	Dr. R. Ravi Kumar	22-8-1936	Intermediate	B. Sc. Engg. M. Sc. Engg. Ph. D.
19	Dr. T. K. George	4-4-1934	Intermediate	B. Sc. Engg. M. Sc. Engg. Ph. D.
20	Dr. A. V. Mathew	14-5-1936	Intermediate	B. Sc. Engg. M. Tech. Ph. D.
21	Babu Raj Praseedam	7-4-1937	Intermediate	B. Sc. Engg M.Sc. Engg.
22	K. Sankaran	26-5-1935	Intermediate	B. Sc. Engg. M. Tech.
23	Dr. D. Balakrishnan	5-8-1936	Intermediate	B. Sc. Engg. M. Tech. Ph. D.

(6)	(7)		(8)
26-4-1968	26-9-1960	Lecturer	..
	27-9-1961	Asst. Professor	
18-2-1970	7-1-1957	Lecturer	..
	8-12-1962	Asst. Professor	
22-10-1971	7-1-1957	Lecturer	..
	8-12-1962	Asst. Professor	
22-10-1971	7-1-1957	Lecturer	..
	8-12-1962	Asst. Professor	
22-10-1971	7-1-1957	Lecturer	..
	8-12-1962	Asst. Professor	
22-10-1971	7-1-1957	Lecturer	..
	21-3-1962	Asst. Professor	
22-10-1971	2-12-1957	Lecturer	..
	8-12-1962	Asst. Professor	
22-10-1971	20-11-1957	Lecturer	—
	17-10-1962	Asst. Professor	
22-10-1971	26-9-1960	Lecturer	—
	8-10-1965	Asst. Professor	
22-10-1971	14-11-1957	Lecturer	—
	16-3-1963	Asst. Professor	
18-11-1971	29-11-1957	Lecturer	—
	15-3-1963	Asst. Professor	
2-8-1972	8-10-1960	Lecturer	—
	8-10-1965	Asst. Professor	
2-8-1972	25-10-1960	Lecturer	—
	25-10-1965	Asst. Professor	
7-8-1972	3-10-1960	Lecturer	—
	8-10-1965	Asst. Professor	
30-9-1972	26-10-1960	Lecturer	—
	9-10-1965	Asst. Professor	

(1)	(2)	(3)	(4)	(5)
24	P. Sivasankara Pillai	3-3-1935	Intermediate	B. Sc. Tech. M. Sc. (Tech.) M.Tech.Chem. Ph. D.
25	M. Parameswaran Nair	3-12-1933	B.Sc.	B.E. (Tele.) M.E. (Elect.)
26	Govindan Aniyath Parol	10 9-1945	P. U. C.	M. Sc. Engg.
27	M. Harisankar	2-10-1940	P. U. C.	M. Sc. B. E. (IISC) M.E. (IISC) M.Sc. (Engg.) Ph. D.
28	K. Sivaraman	28-5-1943	P. U. C.	B.E. M.Tech.
29	T. Ommen	21-10 1942	B.Sc.	B.Arch. M.Arch.
	Assistant Professors/Reader in Civil Engineering			
1	Dr. S. Vasudev			
2	T. S. Ramanatha Iyer			
3	P. C. George			
4	P. U. Paul			
5	R. Jayaraman			
6	A. Kulathu Iyer			
7	P. V. John			
8	N. Padmanabha Iyer			
9	N. Sukesan Nair			
10	T. K George			
11	M. Sivaramakrishna Iyer	16-6-1936	Intermediate	B. Sc. Engg. M. Sc. Engg. Ph. D.
12	M. Padmanabhan	29-8-1936	Intermediate	B. Sc. Engg. M. Sc. Engg.
13	N. Raghuveeran	15-2-1934	Intermediate	B. Sc. Engg. M. Sc. Engg.

(6)	(7)		(8)
27-3-1973	11-2-1965	Lecturer	
	10-7-1970	Asst. Professor	
1-11-1973	22-10-1963	Lecturer	
	7-11-1969	Asst. Professor	
26-3-1976	23-11-1968	Lecturer	
	21-11-1973	Asst. Professor	
25-5-1978	30-11-1965	Lecturer	
	15-7-1972	Asst. Professor	
25-11-1978	4-3-1968	Lecturer	
	31-1-1973	Asst. Professor	
9-11-1979	26-5-1971	Lecturer	
	14-3-1977	Asst. Professor	
11-11-1957			O.D.
22 4-1960			O.D.
27-9-1962			O.D.
27-9 1961			O.D.
27-9-1961			O D.
27-9-1961			O.D.
2 -9-1961			O D.
17- 0-1962			O.D.
17-10-19 2			O.D.
15-3-1963			O D.
7-2-1964	22-6-1957	Junior Engineer, P. W. D.	Promoted as Professor on 3-2-1972 and reverted on 28-8--1972 for want of vacancy.
	2-12-1957	Lecturer	
	7-2-1964	Asst. Professor	
29-6-1964	22-6-1957	Junior Engineer, P.W D.	O, D. as Deputy Director of Technical Eduration
	2-12-1957	Lecturer	Promoted as Professor on 3-2-1972 and reverted on 28-8-1972 for want of vacancy.
	29-6-1964	Asst. Professor	
21-10-1964	20-6-1957 to 23-10-1957	Junior Engineer, N.E.S. Block	
	1-11-1957 to 6-12-1960	Junior Engineer, P.W.D.	
	7-12-1960	Lecturer	
	21-10-1964	Asst. Professor	

(1)	(2)	(3)	(4)	(5)
14	V. N. Vappicha	4-9-1936	Intermediate	B. Sc. Engg. M. Sc. Engg.
15	S. Unnikrishna Pillai	30-7-1936	Intermediate	B. Sc. Engg. M. Sc. Engg. Account Test (P.W.D.)
16	D. Stanly	16-2-1937	Intermediate	B. Sc. Engg. M. E. (II Class)
17	A. M. Mustaffa	22-6-1936	Intermediate	B. E. M. Sc. Engg.
18	Dr. S. Krishnan	22-10-1936	Intermediate	B. Sc. Engg. M. Sc. Engg. Ph. D. Dept. Test (P.W.D.)
19	P. Hariharan	25-6-1935	Intermediate	B. Sc. Engg. M. E.
20	M. K. Veerankutty	1-7-1936	Intermediate	B. E. M. Sc. Engg. Ph. D.
21	Dr. K. Raghavan Nambiar	12-11-1936	Intermediate	B. E. (Hons.) M.Sc. (Engg.) Ph. D.
22	K. Koshy	19-2-1935	Intermediate	B. Sc. Engg M. Sc. Engg.
23	K. Ramachandran Nair	27-10-1935	I. Sc. (I Class)	B. Sc. Engg. M. E. (Hons.) M. Sc. (Tech.) P. C. Diploma in Management (Hons.)
24	P. K. Eapen	4-12-1934	Intermediate	B. Sc. Engg. M. Sc. Engg.

(6)	(7)		(8)
22-10-1964	23-6-1958	Junior Engineer	..
	7-12-1960	Lecturer	
	22-10-1964	Asst. Professor	
22-10-1964	23-6-1958	Junior Engineer P.W.D.	..
	8-12-1960	Lecturer	
26-10-1964	22-12-1960	Lecturer	..
	26-10-1964	Asst. Professor	
2-2-1965	11-3-1958	Junior Engineer	..
	21-12-1960	Lecturer	
3-12-1965	17-6-1957	Junior Engineer P.W.D.	..
	12-8-1960	Lecturer on deputation	
	1-12-1960	Lecturer	
	8-12-1965	Asst. Professor	
8-2-1966	24-6-1958	Junior Engineer P.W.D.	..
	20-12-1960	Lecturer	
	8-2-1966	Asst. Professor	
8-2-1966	17-8-1959	Junior Engineer	..
	1-12-1960	Lecturer	
	8-2-1966	Asst. Professor	
3-12-1969	7-10-1958	Junior Engineer P.W.D.	-
	8-2-1960	Asst. Lecturer (Polytechnic)	
	28-2-1961	Lecturer	
	3-12-1969	Asst. Professor	
7-12-1969	17-3-1961	Lecturer	..
	7-12-1969	Asst. Professor	
17-3-1970	21-7-1959	Junior Engineer P.W.D.	--
	21-3-1961	Lecturer	
	18-3-1970	Asst. Professor	
8-11-1971	23-8-1958	Junior Engineer P.W.D.	..
	14-1-1962	Lecturer	
	8-11-1971	Asst. Professor	

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(1)	(2)	(3)	(4)	(5)
25	B. K. Balavan	10-7-1938	Inter.	B.Sc- Engg. B.T.C.P.
26	Stephen Joseph Nigli	13-8-1940	Inter.	B.Sc. Engg. M.E.
27	N. Hariharasubramonia Iyer	13-2-1941	Inter.	B.Sc. Engg. M.Sc. Engg.
28	C. H. Abdul Bukari	4-11-1940	Inter.	B.Sc. Engg. M.Sc. Engg. Ph. D.
29	K. Manoharan	26-11-1940	Inter.	B. Sc. Engg. M.Sc. Engg.
30	V. Govindan	26-12-1936	Inter.	B.Sc. Engg. M.Sc. Engg.
31	B. Balasubramoniam	30-8-1941	Inter.	B.Sc. Engg. M.Sc. Engg.
32	P. Gopalakrishnan	1-4-1938	Inter.	B.Sc. Engg. M.Sc. Engg.
33	Thomas Zachariah	7-4-1939	Inter.	B.Sc. Engg. M. Tech.
34	K. Raveendranathan	27-1-1936	Inter.	B.Sc. Eng. M.Sc. Engg.
35	A. M. Salim	30-8-1940	Inter	B.Sc. Engg. post- Graduate Diploma in Town and Country Planning
36	M. Abdulla	1-1-1940	P.U.C.	B.Sc. Engg. M.Sc. Engg.

(6)	(7)		(8)
8-11-1971	20-8-1962 8-11-1971	Lecturer Assistant Professor	On deputation to K.S.R.T.C.
8-11-1971	20-8-1962 8-11-1971	Lecturer Assistant Professor	
8-11-1971	20-8-1962 8-11-1971	Lecturer Assistant Professor	
10-11-1971	20-8-1962 10-11-1971	Lecturer Assistant Professor	
10-11-1971	29-3-1962 24-9-1962 10-11-1971	Lecturer (Polytechnic) Lecturer (Engg. College) Assistant Professor.	
10-11-1971	17-8-1961 27-11-1962 10-11-1971	(Junior Engineer) (Lecturer) Assistant professor	
17-11-1971	27-11-1962 17-11-1971	Lecturer Assistant Profetsor	
17-11-1971	19-12-1962 17-11-1971	Lecturer Assistant Professor	
11-2-1972	11-2-1963 11-2-1972	Lecturer Assistant Professor	
26-2-1972	21-11-1961 26-6-1963 26-2-1972	Junior Engineer Lecturer Assistant Professor	
6-3-1964	18-9-1962 8-5-1963 6-3-1964	Lecturer Polytechnic Lecturer Engineering Assistant Professor	Promotion as Assistant Professor is purely provisional subject to recognition of his P. G. qualification by the Kerala University
6-3-1974	30-1-1963 20-8-1963 6-3-1974	Assistant Lecturer Lecturer Assistant Professor	

(1)	(2)	(3)	(4)	(5)
37	P. Vijayamma	17-10-1940	Inter	B.Sc. Engg. M.Sc. Engg.
38	M. O. Thomas	9-8-1941	P.U.C.	B.Sc. Engg. M.E.
39	C. P. Mohammed	1-4-1940	P.U.C.	B.Sc. Engg. M. Tech.
40	K. Gopinath	2-3-1940	P.U.C.	B.Sc. Engg. M.Sc.Engg.

Assistant Professors/Readers in Mechanical Engineering

(1)	(2)	(3)	(4)	(5)
1	P. J. George			
2	M. R. Sreedharan Nair			
3	L. Sreenivasan			
4	R. Revi Kumar			
5	K. Sankaran			
6	D. Balakrishnan			
7	T. Jishnu	15-3-1937	Inter.	B. E. (I Class) M.E. (with credit) Ph. D.
8	M. R. Simon	23-11-1934	Inter.	B.Sc. Engg. M.Sc. Engg.
9	G. Delvis Roy	7-7-1939	Inter.	B.Sc. Engg. M.Sc. Engg.
10	Dr. S. Hariharan	19-11-1937	Inter.	B.Sc. Engg. M.E. Ph. D.

)	(7)	(8)
30-1974	22-11-1962 Assistant Lecturer 20-8-1963 Lecturer 30-3-1974 Assistant Professor	
17-1974	15-10-1962 Assistant Lecturer 20-8-1963 Lecturer 17-5-1974 Assistant Professor	
7-1974	30-7-1963 Head of Section (Polytechnic) 28-2-1964 Lecturer 7-6-1964 Assistant Professor	
3-11976	15-3-1963 Assistant Lecturer 27-8-1963 Lecturer 3-11-1976 Assistant Professor	
27-91961		O.D.
27-91961		O.D.
8-101962		O.D.
16-3-1963		O.D.
25-10-1964		O.D.
11-8-1965		O.D.
1-9-1965	8-9-1958 Assistant Lecturer (Poly.) 8-7-1960 Lecturer Engg. College (on deputation) 1-9-1965 Asst. Professor	
1-10-1965	19-11-1958 Junior Engineer (P.W.D.) 24-10-1960 Lecturer Engg. College	
8-2-1966	23-9-1960 Junior Engineer, P.W.D. 8-10-1960 Lecturer 8-2-1966 Asst. Professor	
3-3-1967	8-9-1959 Junior Engineer, P.W.D. 4-8-1960 Lecturer 8-3-1967 Assistant Professor	

(1)	(2)	(3)	(4)	(5)
11	Dr. G. Inayathulla	17-8-1937	Inter.	B.Sc. Eng M.E. Ph.
12	S. Raghavan	21-9-1935	Inter.	B.Sc. Eng M.Sc. Eng.
13	K. J. Paul	20-3-1937	Inter.	B.Sc. Eng M.Sc. Eng.
14	K. Balakrishnan	15-6-1937	B.A.	B.Sc. Eng. I Class M. Tech
15	C. K. Krishna Kumar	26-12-1940	Inter.	B.Sc. Eng. M.Sc. Engg.
16	M. G. Sreenivasan Potti	13-11-1937	Inter.	B.Sc. Eng. M. Tech.
17	G. Subramoniam	17-8-1941	Inter.	B.Sc. Eng. M.Sc. Engg.
18	S. Narayanan	7-1-1942	Inter.	B.Sc. Engg. M.Sc. Engg.
19	R. Vijayagopala Menon	17-2-1943	Inter.	B.Sc. Engg. M. Tech.
20	Abraham Ipe	26-6-1942	P.U.C.	B.Sc. Engg. M.Sc. Engg. D.Sc.
21	P. V. Ramachandran	31-3-1942	Inter.	B.Sc. Engg. M.Sc. Engg.
22	K. Thampan	1-10-1937	Inter.	B.Sc. Engg. M.Sc. Engg.
23	P. P. Paily	18-5-1942	Inter.	B.Sc. Engg. M.Sc. Engg.

)		(7)	(8)
-1968	10-9-1959	Junior Engineer-P.W.D.	
	31-8-1960	Lecturer	
	4-3-1968	Assistant Professor	
22-2-1970	24-10-1960	Lecturer	
	5-1-1971	Assistant Professor	
22-2-1970	27-3-1961	Lecturer	
	16-1-1971	Assistant Professor	
6-1-1971	22-11-1962	Lecturer	
	6-11-1971	Assistant Professor	
10-1-1971	23-11-1962	Lecturer	
	10-11-1971	Assistant Professor	
10-1-1971	5-7-1962	Lecturer	
	10-11-1971	Assistant Professor	
10-1-1971	15-11-1963	Assistant Lecturer	
	30-11-1963	Lecturer	
	10-11-1971	Assistant Professor	
10-11-1971	11-10-1963	Lecturer (Poly)	
	29-6-1964	Lecturer (Engineering College)	
	10-11-1971	Assistant Professor	
15-12-1971	1-7-1965	Lecturer	
	18-8-1972	Assistant Professor	
15-12-1971	24-2-1965	Lecturer	
	15-12-1971	Assistant Professor	
15-12-1971	5-12-1963	Lecturer	
	15-12-1971	Asst. Professor	
5-3-1973	10-12-1963	Lecturer	
	5-3-1973	Asst. Professor	
6-3-1974	3-3-1965	Asst. Lecturer	
	5-8-1965	Lecturer	
	6-3-1974	Asst. Professor	

(1)	(2)	(3)	(4)	(5)
24	Raju, V. Paul	24-3-1943	Inter	B.Sc. Engg. M.Sc. Engg
25	P. Battiya	5-6-1942	Inter	B.Sc. Engg M.Sc. Engg
26	Rajan Varghese	8-7-1943	Inter	B.Sc. Engg M.Sc. Engg

Assistant Professors/Readers in Electrical Engineering:—

1 2 3 4	Dr. S. Narayana Iyer S. Hariharan M. S. Abdul Kadir K. Ramachandran	29-1-1939	Inter	B. Sc. Engg M. Sc. Engg Ph. D.
5 6 7 8 9	A. V. Mathew K. P. Parameswaran Pillai G. Raveendran Nair Babu Raj Praseedam M. S. Narayanan Potty	23-12-1936	Inter	B. Sc. Engg. M.Sc. Engg. Ph.D.
10	K. A. Muraleedharan	10-5-1936	Inter	B.Sc. Engg. M.Sc. Engg. Ph.D.
11	V. K. Savithri	22-2-1938	Inter	B.Sc. Engg. M.Sc. Engg.
12	K. P. Mammootty	3-1-1938	Inter	B.Sc. Engg. M. Tech.
13	K. Gomathi	16-5-1939	Inter	B.Sc. Engg. M.Sc. Engg. Ph.D.
14	Sosamma Varghese	14-12-1940	P.U.C.	B.Sc Engg. M.Sc. Engg.

(6)	(7)		(8)
6-3-1974	1-10-1965	Lecturer	
	6-3-1974	Asst. Professor	
6-3-1974	16-10-1965	Lecturer	
	6-3-1974	Asst. Professor	
3-3-1975	5-7-1965	Lecturer (Poly.)	
	16-10-1965	Lecturer (Engg. College)	
	13-3-1975	Asst. Professor	
	1-6-1959		O.D.
	21-6-1960		O.D.
	8-12-1962		O.D.
8-10-1965	20-7-1960	Lecturer	8-10-1965 Asst. Professor
	22-10-1971	professor	4-8-1972 Asst. Professor
	8-10-1965		O.D.
	8-10-1965		O.D.
8-10-1965			O.D.
25-10-1965			O.D.
5-11-1965	5-11-1962	Lecturer	
	5-11-1965	Asst. Professor	
18-1-1967	25-10-1960	Lecturer	
	18-1-1967	Asst. Professor	
18-1-1967	20-12-1962	Lecturer	
	18-1-1967	Asst. Professor	
16-11-1967	7-8-1961	Lecturer (Polytechnics)	
	4-10-1962	Lecturer (Engg. College)	
	16-11-1967	Asst. Professor	
2-12-1969	1-12-1962	Asst. Lecturer, Engineering College	
	20-8-1963	Lecturer, Engineering College	
	2-12-1969	Asst. Professor	
2-12-1969	8-7-1963	Lecturer (Polytechnic)	
	25-9-1963	Lecturer (Engg. College)	

(1)	(2)	(3)	(4)	(5)
15	G. Varadakumari	19-5-1941	P.U.C.	B Sc. Engg. M.Tech
16	S. Rama Iyer	9-7-1939	B. Sc. I Class	B.Sc. Engg. M.Sc. Engg.
17	S. K. Soman	11-12-1939	P.U.C.	B.Sc. Engg. M.Sc. Engg.
18	M. Ramadas	18-5-1940	B.Sc.	B.Sc. Engg. M.Sc. Engg.
19	N. Kesavan Nair	8-5-1942	Inter	B.Sc. Engg. M.Sc. Engg.
20	M. K. Radhakrishnan	25-5-1943	P.U.C.	B.Sc. Engg. M.Sc. Engg.
21	P. Prathapachandran Nair	2-3-1943	P.U.C.	B.Sc. Engg. M. Tech.
22	P. Krishnamoorthy Iyer,	23-12-1943	B.Sc.	B.Sc. Engg. M.Sc. Engg.

Assistant Professors/Readers in Tele-Communication Engineering

1	M. Parameswaran Nair			
2	M. Hari sankar			
3	K. Sivaraman	28-5-1943	P.U.C.	B.E. (Elec.) M. Tech.
4	R. Appukuttan Nair	19-5-1940	P.U.C.	B.E. M.E.
5	N. Vasudevan Nair	27-4-1942	B.Sc.	B.E. M. Tech.
6	R. S. Moni	17-11-1946	P.U.C.	B. Sc. Engg. M. Tech.
7	D. Radhakrishnan	25-12-1946	P.U.C.	B.Sc. Engg. M. Tech.
8	M. Sasikumar	23-10-1945	German Certificate Course	B.Sc. Engg. M. E.

(6)	(7)		(8)
2-12-1969	7-10-1963	Instructor } Poly-	
	11-12-1963	Head of Section } technic	
	29-6-1964	Lecturer	
		(Engg. College)	
	3-12-1964	Asst. Professor	
16-2-1970	9-3-1964	Head of Section	
		(Polytechnic)	
	11-12-1964	Lecturer (Engg. College)	
	18-2-1970	Asst. Professor	
3-10-1970	8-7-1963	Lecturer (Poly.)	
	12-9-1963	Asst. Lecturer	
	14-8-1964	Lecturer	
		(Engg. College)	
		(Engg. College)	
16-11-1971	17-8-1964	Asst. Lecturer	
	17-3-1965	Lecturer	
	6-11-1971	Asst. Professor	
6-11-1971	1-2-1966	Lecturer	
	6-11-1971	Asst. Professor	
23-10-1972	9-7-1965	Lecturer	
	25-10-1972	Asst. Professor	
23-10-1972	1-10-1965	Lecturer	
		(Poly-technic)	
	1-2-1966	Lecturer	
		(Engg. College)	
	25-10-1972	Asst. Professor	
7-1-1978	8-11-1966	Lecturer	
	9-1-1978	Asst. Professor	
11-11-1969			O.D.
5-7-1972			O.D.
31-1-1973	4-3-1968	Lecturer	
	1-2-1973	Asst. Professor	
	5-4-1968	Lecturer	
20-3-1973	21-3-1973	Asst. Professor	
30-3-1974	1-11-1968	Lecturer	
	30-3-1974	Asst. Professor	
10-1-1976	2-1-1970	Lecturer	
	12-1-1976	Asst. Professor	
23-11-1978	2-1-1970	Lecturer	
	24-11-1978	Asst. Professor	
8-11-1979	5-1-1970	Lecturer	
	9-11-1979	Asst. Professor	

(1)	(2)	(3)	(4)	(5)
Assistant Professors/Readers in Architecture Engineering				
1	T. Oommen			
2	Ashalatha Thampuran,	18-2-1947	Pre-Degree	B. Arch. M. Arch.
Assistant Professors/Readers in Chemical Engineering				
1	P. Sivasankara Pillai			
2	Govindan Aniyath Parol			
3	K. Neelakantan	2-10-1945	B.Sc.	B. Sc. Engg. M. Sc. Engg. Ph. D.
4	M. George Joseph	24-5-1946	P.U.C	B. Sc. Engg. M. Tech.
5	K. P. Mohandas	9-11-1946	P.U.C.	B. Sc. Engg. M. Tech.

(6)	(7)		(8)
9-3-1977			O D.
	25-5-1971	Lecturer	
8-11-1979	9-11-1979	Asst. Professor	
15-7-1970			O.D.
24-11-1973			O.D.
11-4-1975	25-1-1971	Lecturer	
	22-4-1975	Asst. Professor	
11-11-1975	9-1-1970	Lecturer	
	17-11-1975	Asst. Professor	
11-10-1976	23-1-1971	Lecturer	
	22-10-1976	Asst. Professor	

Kerala Gazette No. 36 dated 14th September 1982.
PART I

GOVERNMENT OF KERALA

Abstract

HIGHER EDUCATION—RESERVATION FOR ADMISSION AND GRANT OF MONETARY CONCESSIONS—ORDERS ISSUED ON KUMARA PILLAI COMMISSION REPORT—EXTENSION DURING 1982-83—ORDERS ISSUED.

HIGHER EDUCATION (C) DEPARTMENT

G. O. Ms. No. 114/82/H. Edn. *Dated, Trivandrum, 23rd August 1982.*

Read:—1. G.O. (P) No. 208/66/Edn. dated 2-5-1966.
2. G.O. Ms. No. 87/81/H.Edn. dated 1-6-1981.

ORDER

Government are pleased to order that the existing orders on reservation for admission and grant of monetary concessions in educational institutions, issued in the G. O. read as first paper above and the subsequent amendments thereto will be extended for academic year 1982-83 also.

By order of the Governor,
K. SRINIVASAN,
Special Secretary to Government.

To,
The Director of Collegiate Education, Trivandrum
The Director of Technical Education, Trivandrum.
The Director of Agriculture, Trivandrum.
The Director of Harijan Welfare, Trivandrum.
The Principals, Medical College, Trivandrum/Kottayam/Alleppey/Kozhikode/Trichur.
The Principal, Agricultural College, Vellayani, Trivandrum.
The Principals, Engineering College, Trivandrum/Quilon/Trichur/Kothamangalam/Palghat.
The Principal, Veterinary College, Mannuthy, Trichur,
The Principals, Law College, Trivandrum/Ernakulam/Kozhikode,
The Principal, Ayurveda College, Trivandrum/Tripunithura.
The Director of Public Relations, Trivandrum.
The Registrar, University of Kerala/Calicut/Cochin
The Registrar, Kerala Agricultural University, Mannuthy, Trichur.
All Sections of Higher Education Department/ Agriculture Department/ Health Department/ The General Administration (SC) Department vide item No. 137 dated 18-8-1982.

Kerala Gazette No. 36 dated 14th September 1982.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 715/82/LBR. *Dated, Trivandrum, 6th July* 1982.

The award of the Labour Court, Kozhikode in respect of the dispute between (1) The Joint President, M/s. Gwalior Rayons Silk Manufacturing (Weaving) Co. Ltd., (Pulp Division), Mavoor (2) The works Manager, M/s. Gwalior Rayons Silk Manufacturing (Weaving) C/o. Ltd., (Pulp Division), Mavoor and (3) The Factory Manager, M/s. Gwalior Rayons Silk Manufacturing (Weaving) C/o. Ltd., (Pulp Division), Mavoor and their workmen represented by (1) The General Secretary, Gwalior Rayons Pulp Factory Employees Union, Mavoor (2) The President, Rayons Workers Union, Mavoor (3) The Joint Secretary, Gwalior Rayons Pulp and Fiber Factory Staff Union, Mavoor (4) The General Secretary, Gwalior Rayons Employees Association, Mavoor (5) The President, Gwalior Rayons Process Workers Union, Mavoor (6) The General Secretary, Gwalior Rayons Swathanthra Thozhilali Union, Mavoor (7) The General Secretary, Gwalior Rayons Employees Sangh. Mavoor (8) The Vice President, Rayons Staff Association, Mavoor, (9) The President, Gwalior Rayons Pulp Factory & Construction Workers Union, Mavoor and (10) The Gwalior Rayons Pulp and Fibre Workers Union, Mavoor received by Government on 26-6-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Kozhikode, Kerala State

Dated this the 4th day of May, 1982

Present :

SHRI T. M. VISHNU NAMBISSAN, B. A., B.L.,

Presiding Officer

INDUSTRIAL DISPUTE No. 1/75

(Renumbered as I. D. 90/76)

G.A. 130/V.

Between :

1. The Joint President, M/s. (Gwalior Rayons) Silk Manufacturing (Weaving) Co. Ltd., (Pulp Division), Mavoor.
2. The Works Manager, do.
3. The Facrory Manager do.

} *Managements*:

And

1. The General Secretary. Gwalior Rayons Pulp Factory Employees Union, Mavoor.
2. The President, Rayons Workers Union, Mavoor.
3. The Joint Secretary, Gwalior Rayons Pulp and Fibre Factory Staff Union, Mavoor.
4. The General Secretary, Gwalior Rayons Employees Association, Mavoor.
5. The President, Gwalior Rayons Process Workers Union Mavoor.
6. The General Secretary, Gwalior Rayons Swathanthra Thozhilali Union, Mavoor.
7. The General Sceretary, Gwalior Rayons Employees Sangh, Mavoor.
8. The Vice President, Rayons Staff Association, Mavoor.
9. The President, Gwalior Rayons Pulp Factory & Construction Workers Union, Mavoor.
10. The Gwalior Rayons Pulp and Fibre Workers Union, Mavoor.

} *Unions*

Representations:—

Advocate,
Sri K. Bhaskaran Nair, Calicut — For *the Unions*.

Advocate,
Shri A. P. Aravindakshan .. For *the Managements*.

AWARD

1. This Industrial Dispute between the above parties was referred to the Labour Court, Quilon, for adjudication as per G. O. Rt. No. 340/74/LBR dated 2-4-1974. That court took the case on the file as I. D. I/75. The same was transferred to this court and re-numbered as I. D. 90/76. The parties entered appearance and filed statements in persuance of the notice issued to them. The relevant facts on the lengthy pleadings of the parties are briefly stated hereunder :—

2. The union in their claim-statement contends that during the latter part of the year, 1972 the prices of commodities started rising rapidly and by January, 1973 it had reached very high proportions. All over Kerala, workers were requesting managements for interim relief. Mavoor is a place where cost of living is very high. The life of the workers in the factory became extremely difficult and on 23-3-1973 all the unions made a written request for interim relief equivalent to two months salary to all the employees to tide over the difficult period. To this the management sent a reply on 30-3-1973 refusing to advance amounts as interim relief because according to them the dearness allowance scheme available in the factory is calculated on the basis of cost of living index and any increase in the cost of living index was being cushioned of by the D. A. Scheme already available. But it offered the usual Vishu advance. A meeting of the workers was called for by the management on 2-4-1973 but nothing tangible came out of it. On 27-6-1973 the workers again wrote to the management regarding the difficulty to make both ends meet and requesting for interim relief every month. In the reply dated 3-7-1973 the management declined to give any relief by way of interim relief. It is further stated that the matter had been discussed and the management had decided to give one month's salary to all the employees as interim relief. This is not correct as the advance paid was not an interime relief but an advance for Vishu which was being paid every year and recovered in instalments. If this was not a Vishu advance and was actually a measure of interim relief it was requested that the deductions being made could be stopped. But in the meanwhile the management had began to deduct the instalments of the advance. The stand of the management that the Vishu advance made was an interim relief and that this was agreed to by the unions is not correct, because the notice dated 6-4-1973 did not mention that there was any agreement between the unions and the management to convert the demand for interim relief as Vishu advance. It is also stated in the notice that this advance will be paid only to those who agreed for its deduction. The interim relief asked for was a payment without recovery. The union wrote to the management on 3-7-1973 informing that unless the interim relief was paid the unions would be constrained to take appropriate steps. On 10-7-1973 the management wrote to the unions calling a conferrence on 11-7-1973, in which also the management refused to give any interim relief. So the unions on 13-7-1973 informed the management that the workers may be compelled to take direct action if the demand was not conceded within 48 hours. The management gave a reply on 14th but continued to resist the demand. In the conference held on 14-7-1973 the management adopted the same stand. Hence on 15-7-1973 the unions issued a notice that the workers would go on a token strike for one day from 7 a. m. on 16-7-1973 to 7 a. m on 17-7-1973. The unions also informed that essential workmen were being excluded from the strike.

On 18-7-1973 the unions received a letter in which false allegations were made against the unions to which reply was sent denying the false allegations and contending that there was only a peaceful procession and in a disciplined manner and that no persons had been obstructed by the processionists. On 19-7-1973 and 21-7-1973 the Labour Department held conferences to seek the possibilities of a settlement but the attitude of the management stood in the way of a settlement. The workers continued to do their work and were contemplating as to how the situation could be met when on 23-7-1973 another false allegation was made against them. By a letter, the management informed the unions that the workers had adopted go slow tactics from 22-7-1973 'C' shift onwards. The go slow alleged is denied. The workers had worked normally on that day. During that period there was some dispute between the management and the lorry drivers belonging to the contractors who were bringing bamboo to the factory. Due to that dispute the number of lorries arrived in the factory on that day was much less. On 23-7-1973 without giving the unions any time to verify the truth of the allegations and without holding a conference the management suspended pending enquiry 6 workers from the Chipper house who were working in the 'A' Shift on that day. No explanations were called for from them before suspension. Inspite of the interference by the union office bearers, the management refused to give attendance cards to them. While the workers in the 'B' Shift were working as usual they found that the departmental heads stopped all plants at 9 p. m. The workers remained inside the factory and left after their duty hours. So also the workers in the 'C' shift came inside and attended to their duty. At midnight on 23-7-1973 the management declared a lay-off under Section 25 (E) (iii) with effect from 11 p. m. on 23-7-1973. All the workers who were present in the factory during the 'C' shift other than those required as essential were asked to leave the factory. On 24-7-1973 the workers of the 'A' shift reported for duty as usual when they found that the management had declared a lockout with effect from 7 a. m. on that day. The lockout notice did not state any reason for the same. The management was not justified either in declaring a lay off or a lockout. There was no incident which would justify the declaration of either lay off or the lockout. It is incorrect to say that there was any slowing-down or strike. The management could not have apprehended any damage to the machinery and danger to the livers of the employees. The allegation that the Maintenance Superintendent was gharaoed was false, made for the purpose of justifying the illegal lay off as well the illegal lockout. It is false to state that the unions had displayed any notice declaring a strike with effect from 7 a. m. on 24-7-1973. The action of the management was purely vindictive. The employees had been given advances by the Provident Fund Commissioner, Trivandrum from the provident funds under section 68 (h) of the Provident Fund Scheme. It is only in case a closure or a lockout of a factory for reasons other than a strike that the workers are entitled for advances.

The advances were made after an enquiry by the Commissioner and his satisfaction. The management had no case that the Commissioner was convinced that the lockout was not due to a strike by the workers. No lock-out can be declared or justified for the reasons stated in the lockout notice viz. that valuable properties inside and outside the factory were liable to be stolen as the factory was on the banks of Chaliyar River. The workers had continued to attend the Water Plant, Electricity Plant etc. as requested by the management even after the lockout. Lay-off notice as well the lockout notice are not in accordance with the provisions of law and as such are illegal. The workers are entitled for their wages during the period of lockout which was lifted on 15-12-1973.

3. The management filed a written statement consisting of VII parts. In the first part the management contends that while considering the validity or otherwise of the lockout declared by it this court has to consider the validity or otherwise of the alleged strike on 23-7-1973 and incidents that are alleged to have happened be fore the same which according to the management necessitated lockout. In part 2, the management denies that the workers in other industrial undertakings were granted interim-relief by the respective managements. Even if any management had given interim relief the same must have been given because of the law wage structure prevailing in those industrial establishments whereas the wages paid to the workers by the management are on a much larger scale than that received by their counter-parts in other industrial undertakings, either in private or public sector. A peon under the management was getting Rs. 634 per month including dearness allowance and other fringe benefits. Hence the demand of the workers was not justifiable. The workmen under the management are not justified is raising their claim based upon the alleged spiralling in prices of commodities because under clause 10 of the Long Term Agreement, the same has been taken care-of for fixation of wages of the workmen at the rate of 23 paise per point over 400 points of the cost of living index in Kozhikode District in addition to fixed D. A. of Rs. 70 per month. The difference in the cost of living index on the basis of which the dearness allowance was determined for payment in March 1973 and the average index cost for the quarter ended in March 1973 was only Rs. 3.91. The same is sufficient to expose the hollowness and the arbitrariness of the claim for interim relief made by the workers on 23-3-1973 and later pressed in a modified manner on 27-6-1973. The demand for interim-relief would not constitute an industrial dispute as defined in section 2 (K) of the Act. Hence the demand is violative of the conditions of the Long Term Agreement. The Direct action in the shape of demonstrations and processions during working hours, go slow taites, unauthorised bilowing of siren, strike either partial or total resorted to by the workers in order to pressurise the management to concede the demands cannot be justified. The demand for payment of interim relief by way of non-refundable advance every month would have given rise to an increase in price level of essential commodities.

4. In part 3, the management contends that on receipt of the written demand dated 23-3-1973 it replied to the same on 30-3-1973 stating that the provisions for variable dearness allowance in addition to the fixed D.A. in the Long Term Agreement would make the demand unjustifiable. But they were informed that the management would consider payment of Vishu advance on the same condition as applicable to Christmas advance. The unions were invited for a conference on 2-4-1973. The mangement offered to pay amounts equal to one month's wages recoverable in 12 equal instalments from March, 1973, with a stipulation that entire the advance paid are recovered no more advances will be given. The unions were also informed that those workers willing to received the advance must receive the same on 11-4-1973. A notice to that effect was also put up on 6-4-1973. The workmen took advantage of that offer and received the advance. Hence the contention that the advance made on the eve of Vishu was unconnected with the demand made on 23-3-1973 is incorrect. Having received the advance as per the notice dated 6-4-1973 it is not open to the unions to repudiate the benefits received and press for non refundable advance every month made as per letter dated 27-6-1973. The demand made in that letter is not a repeatation of demand made on 23-3-1973 because that had been met. The demand made on 27-6-1973 would tantamount to a claim for a double salary for all the months until prices of commodities come down. The same is unreasonable, unjust and inadmissible. A reply was sent to that effect on 3-7-1973. The letter dated 5-7-1973 by the unions was replied on 6-7-1973 negataving the demands. On 9-7-1973, 7 unions wrote to the management that unless their demands were conceded within 72 hours they could be constrained to take appropriate steps deemed fit and all consequences arising out of such unpleasent situation. will be at the risk of the management. On 10-7-1973, the management addressed to the unions informing them that the management is prepared to hold a discussion on 11-7-1973 with a view to avoid show-down. But on 13-7-1973 the unions served another notice of direct action including strike. Immediately the management invited the unions for a meeting on 14-7-1973, without heeding to that invitation, the unions gave the strike notice on 15-7-1973 informing that they will go on one day strike from 7 a. m. on 16-7-1973. The same was sent to the Labour Commissioner, Chief Inspector of Factories and Deputy Labour Commissioner with copies to the Hon'ble Minister for Labour and Industry and to the District officials for necessary action. The workers struck work as stated in the notice. On 17-7-1973 the District Labour Officer proposed to hold a joint conference on 19-7-1973 on 18-6-1973 the Deputy Labour Commissioner also proposed to hold a conciliation conference on 21-7-1973. Inspite of that the unions instigated the workmen to take out procession during working hours on 18-7-1973, shouting slogans, to march into the main office where they were squatting on the steps ofthe stair case in order to coerce the management to accept the unreasonable demand. The same was protested against in the letter by the Factory Manager dated 18-7-1973 with copies to the Deputy Labour Commissioner, and District Labour Officer, Kozhikode. The unions asserted that the shouting of slogans and going in procession were their legitimate

trade union activities. Nothing tangible came out of the conciliation conference due to the insistence of the unions for payment of non-refundable advance every month.

5. In part IV, the management contends that in order to coerce the management to submit to their unjust demand, the workers adopted go slow tactics in the first two departments of the Pulp Plant i. e. in the Chipper House and Bamboo Yard from the 'C' shift of 22-7-1973. Hence on 23-7-1973 a communication was sent to the unions to advise the workmen to desist from adopting go slow tactics. The denial of adoption of go slow is untenable, as the same is revealed from the records maintained in the respective departments. The relevant registers will reveal that loading time increased considerably in the 'C' shift which also indicate deliberate act of slow down tactics. The same continued even in the 'A' shift of 23-7-1973 when only two digesters were filled eventhough the same number of Chippers were operated during the working hours,. The officers of the Labour Department were kept informed of the fast deteriorating situation so as to avoid untoward incidents. As it was feared that continuance of go slow tactics would result in stoppage of the entire plants, written warnings were issued and affixed that lay of under section 25 (E) (iii) would have to be ordered. The head of the department of the Chipper House, P. K. Appu, reported on 23-7-1973 to the Factory Manager that the feeding into the Chipper was very poor inspite of the warning, which the workmen refused to accept. Therefore at about 1 p. m. on 23-7-1973 6 workers in the Chipper house were informed that unless they resumed normally in their work within an hour of its receipt, disciplinary action would have to be taken against them. But those workmen refused to receive the warnings. Hence they were suspended, pending enquiry at about 3 p. m. on the same date P. K. Appu was gharaoed by the workmen who did not permit him even to answer his calls of nature. At about the same time the workmen in the Chipper House struck work from about 3 p. m. This was notified by the Factory Manager in his notice affixed and the copy communicated to the time office and the Labour Department. Final warning notice of lay-off was also issued by the Factory Manager as the situation deteriorated considerably. At about 9 p. m. the police rescued Sri P. K. Appu from gharao. It was thereafter that the workmen unauthorisedly blew the siren and thereupon all the workmen stopped the plants and came out from their workspot. The go slow tactics and the subsequent strike in the bamboo yard and Chipper became worsened affecting the smooth operations of the other departments by 9 p. m. on 23-7-1973. Hence an order of lay-off under section 25 (E) (iii) became necessary. Departments unconnected with the processing department were exempted from the lay-off. They were essential service. It was expected that the erring workmen could be deflected from their wrong doings by the lay off order. But by 11 p. m. when the workers of the 'C' shift had already arrived and gained access into the premises in total disregard of the lay-off notice, it was found that there were not only the workmen of the 'C' shift but also those who were expected to leave after the

is made under the provisions of the Act. No lock-out can be declare on the ground that valuable properties inside and outside the factory are liable to be stolen. The workers had continued to attend the Water Plant, Electricity Plant etc., even after the lock-out. The notice of lay off as well the lock-out are not in accordance with the provisions of the law and as much are illegal. The workers are entitled for their wages during the lock-out period, which was lifted on 15-12-1973.

7. The issue referred for adjudication " is whether the lock-out effected by the Management from 7 a. m. on 24-7-1973 is legal and justifiable".

8. *Issue* : That the Management declared a lockout of the Gwalior Rayons Silk Manufacturing (Weaving) Co. Ltd., Mavoor with effect from 7 a. m. on 24-7-1973 is admitted. Whether the lockout is legal and justifiable has to be considered with reference to the back ground and the facts and circumstances alleged to have existed and not in isolation of the same as contended by the Management. The background alleged to have led to the lockout is considered hereunder.

9. Ext. M 32 is a letter by the 9 Unions to the Management dated 23-3-1973 stating that considering the present cost of living and other circumstances we deem fit that it is proper on the part of the Management to distribute an interim relief equivalent to two months Salary to all the employees. It is also requested to change the present made of recovery of Christmas advance. Ext. M 33 dated 30-3-1973 to the replay of the management contending that the D. A. of the workmen is calculated on the basis of the cost of living index as per the terms of the agreement and as such any increase in the cost of living will have a corresponding increase in the D. A. also and that there is no justification in putting up a demand for interim relief on the basis of increase in the cost of living. The management expressed its willingness to consider the payment of Vishu Advance as per the terms and conditions agreed upon at the time of the finalisation of the X'mas advance. The Management also expressed is desire to have a discussion in the matter at 3 p.m. on 2nd April, 1973. The demand for interim relief made as per Ext. 32 is contended as unjustifiable and contrary to the provisions in Ext. M. 30 entered into by the management and the Unions and which will be in operation till 25-10,1975. Clause 10 of Ext. M 30 provides that "the Company shall pay fixed dearness allowance of Rs. 70 per mensem during the term of this settlement. The Company shall pay Variable Dearness allowance at the rate of 23 paise per point over 400 points of Kozhikode District cost of living index. For purpose of adjustment and calculating Variable Dearness Allowance, average points of cost of living indices of the immediately preceding quarter, for Calicut published by the Director of Statistics, Kerala State under Section 2 (d) of the Minimum Wages Act, 1948 shall form the basis". The contention of the management is that any increase in the cost of living is properly taken care of by

clause 10 stated above and as such the demand for interim relief made by the Unions is unjustified. The management also relies on subclause 5 of clause 40 of Ext. M 30 which provise that it is agreed that there shall be no demand for any further increase in wages, allowance or alteration of any other terms and or conditions of employment as laid down in this agreement, and that the provisions of this agreement fully define and limit the obligations and responsibilities of the Company towards its workmen for the period covered in this agreement. The contention of the management is that by the above clause the unions have agreed that no further financial burden will be cast on the Management and as such also the demand in Ext. M 32 is illegal and unjustifiable. The case of the union is that there has been an unprecedented spuart in the cost of living and as such the workmen were finding it difficult to meet both ends and hence the demand for interim relief is justifiable. It is also contended that such interim relief had been granted by other managements in the State. WW1 would say that the Kerala Transport Co., Ex-servicemen Transport, J & P Coats, Koratty etc., paid interim relief from the beginning of 1973. Apart from the interested evidence of WW1 there is no independent evidence adduced in support of the payment of interim relief by other managements in the State on account of the alleged spurt of living index in 1973. As per Ext. W6 dated 13-1-1977, the Government of Kerala ordered payment of an adhoc amount equivalent to 1 month's wages to the employees, the recovery of which will be decided by the Government. It is admitted that the above order was challenged in Ext. M81 and above order was set aside in Ext. M83 which is the certified copy of the judgement in writ Appealed that the management had filed Ext. M 84 Writ petition challenging the said orders and that the same is pending before the High Court. Therefore Ext. W6. and W7 will not be of any Assistance to the Unions to show that their demand is justified. The contention of the management is that its E m p l o y e e s are the best paid in K e r a l a. That its is so is admitted in Ext. W3 (a) which States that "it is true that the employees of the Mavoor Factory are getting reasonable wages when compared with that of other factories in the State, but this benefit was not given by the management in a graceful way and the result is that the Employees are not happy over the situation and the management has also miserably failed to take the Employees into their confidence." The earlier part of Ext. W3 (a) admits that the employees under the management are getting better wages compared to other factories in the State. The case of the management is that even a peon under the management gets a total sum of Rs. 634 per month including all the benefits. It is not necessary to consider the wage structure of the employees under the management with that of the wage structure in other factories in view of Exs. W3 (a). The contention of the management is that the increase in cost of living has been properly taken care of in clause 10 of Ext. M 30 extracted earlier and as such the demand for interim relief is unjustifiable. That the increase in cost of living over 400

points has been provided for in Ext. M 30 is seen from that document. The increase in cost of living from June 1972 to June 1973 was by 290 points for which the increase in D. A. was Rs. 43. 70. The same shows that the increase in the cost of living was not so disproportionate as is contended by the Unions. At any rate the increase in the cost of living has been amply provided for as per clause 10 of Ext. M 30 to which the Unions are Parties. Therefore, the contention of the Management that the demand for interim relief is unjustifiable appears to be well founded. The contention of the Management is that as per subclause 5 of clause 10 of Ext. M 30 the Unions agreed that no further financial burden will be cast on the Management WW1 in his evidence stated that as what is agreed to as per the said clause is regarding increase in wages, allowance, or alteration of any other terms and conditions of. Employment and not relating to interim relief. Interim relief is claimed on the basis of the alleged spiralling cost of living. The same has been properly taken care of as per clause 10 by making provision for increased D. A. As such the fact that the Unions termed the demand as interim relief will not take away its substantial character ie. D. A. Since clause 10 of Ext. M 30 provides for increased D. A. for the rise in the cost of living the demand made couched as interim relief also does not appear to be justifiable as it is opposed to clause 10 and sub-clause 5 of clause 40 of Ext. M. 30.

10. As stated earlier, the management as per Ext. M 33 pointed out the unjustifiability of the demand made in Ext. M 32 however it expressed a desire to have a discussion on 2nd April, 1973. That there was a discussion on 2-4-1973 is admitted. According to the Management the outcome of the said discussion was reflected in Ext. M 34 notice as per which the Management ordered to disburse an amount equivalent to 1 month's salary to all permanent employees as festival advance recoverable by 12 Instalments. The Advance was ordered to be disbursed on 11-4-1973. It would appear that the employees received the advance as per Ext. M 34. The contention of the Management is that the disbursement of the advance as per the discussions at the meeting held on 2-4-1973 gave a quietous to the demand Ext. M 32 till Ext. M 35 dated 27-6-1973. As per Ext. M 35 the Unions Demanded that "the impact of the present rise in prices on normal life is such that it is very difficult to meet both ends. Since this situation is worsening in every day we think that it is high time on the part of the management to see that the Employees are given a helping hand for tiding up the situation. Hence we request that an interim relief is paid to the employees every month untill the situation is improved." Eventhough Ext, M 34 does not State that the disbursement of the advance was in persuance of the settlement on the basis of the discussions held on 2-4-1973, the management drew the attention of the unions to that fact in Ext. M36 dated 3-7-1973 to the effect that "your attention is drawn to your joint letter dated 23-3-1973 on the very subject. The subject matter under reference was discussed in detail and it was agreed by the management to give gone month's Salary to all the employees as

interim relief and it was also agreed to deduct the same only by 12 monthly instalments from production bonus and salary/wages". The management again drew the attention of the unions to the fact that the rise in cost of living index has already been taken care of in the dearness allowance and as such the demand is unjustifiable. The unions replied as per Ext. M37 stating that "We are happy to learn from your letter dated 3rd July 1973 that the management has considered the advance given at the time of X'mas as an interim relief to cope up with the soaring prices of essential commodities. In the light of the above opinion we feel it unnecessary to as for a relief for the time being". The unions also requested to stop deduction of X'mas advance and to refund the advance already recovered. They also denied that increase in the cost of living will be having a corresponding increase in the D. A. too as it is far away from realities. It is contended that the price of rice has doubled in the previous month for which no corresponding increase was given in the D. A. and the increase allowed was only nominal. Ext. M37 shows that the unions evidently misunderstood the letter Ext. M36 which was pointed out to them in Ext. M38. In Ext. M37 there is no denial of the fact that the advance proposed to be paid as per notice dated 6-4-1973 was as per the settlement arrived at as per the discussion on 2-4-1973 stated in Ext. M36. Therefore, the contention of the management that Ext. M34, notice was put up in pursuance of the settlement arrived at the discussion on 2-4-1973 which was done in pursuance of Ext. M32 appears to be correct. The contention of the management is that having accepted the advance on the basis of Ext. M34 the unions are cannot be allowed to take up the issue again for interim relief. It is also contended that the demand made as per Ext. M36 is a totally different demand from that made in Ext. M32. Even though the rule of estoppel cannot be held to be applicable in Industrial Disputes the fact that a discussion was held in persuance of demand made in Ext. M32, that a settlement was arrived at for payment of advance for Vishu and that the employees received that advance can be seen from the above documents. The said fact amounts to giving a quietous to the demand for interim relief made in Ext. M32 which fact can also be seen from that a similar issue was raised only more than 2 months afterwards. That the demand made in Ext. M36 is different from Ext. M32 can be seen from the fact that the demand for interim relief was for 2 months salary to all the employees whereas the demand in Ext. M35 is for an interim relief every month until the situation is improved. The quantum of the relief sought for is not stated in Ext. M35 whereas 2 months salary is claimed in Ext. M32. The demand made in Ext. M37 is for higher rate of D. A. casting away the alleged defrauding cost of living index proved for in Ext. M30. The same also will make it clear that the demands is for increased D. A. than the one provided in Ext. M30. Ext. M39. is the letter by the unions dated 9-7-1973 calling upon the management to finalise the issue of interim relief without further delay. It also contains and undertone of threat in that in case the management does not come forward to settle the issue within 72 hours of the receipt of this

letter the unions will be constrained to take appropriate steps which deem fit and all consequences arising out of such unpleasant situation will be at the risk of the management only. Ext. M40 is the reply by the management expressing its preparedness to discuss with the unions again on the lines suggested by the Joint President at 10.30 A. M. on 11-7-1973. WW1 admitted that there was a meeting on 11-7-1973 but without any tangible result. Ext. M41 dated 13-7-1973 is the letter by the unions stating that inspite of the letter dated 9-7-1973 which is Ext. M39, the management has not come forward so far to discuss and finalise the issue mentioned in the letter and informing the management that unless it adopts a positive attitude in respect of the issue, the unions may be compelled to indulge in any direct action including strike after 48 hours of the receipt of that letter. Inspite of the wording in Ext. M41, WW1 would say that the unions did not intend to strike as per that letter but the wfording of that letter and the stand taken by the unions as could be seen from it is to indulge in any direct action including strike if the issue is not settled. Ext. M42 is the reply of the management stating that the Joint President is willing to meet the unions on 14-7-1973. Ext. M43 dated 14-7-1973 is the reply to Ext. M.41 drawing the attention of the unions regarding the disbursement of the advance as per the notice dated 6-4-1973 and that the same was agreed to by the unions in response to the demand for interim relief as per the letter dated 23-3-1973. Ext. M44 is the notice of a token strike from 7a.m. on 16-7-1973 to 7 a. m. on 17-7-1973. WW1 admitted that the conference in pursuance of Ext. M42 was held on 14-7-1973 but that no relief was wanted and as such Ext. M44 notice was given. He also admitted that a token strike as stated in Ext. M44 was held. It is interesting to note that in Ext. M44 the unions informed the management that the essential workmen will be excluded from the strike which indicates that the unions have assumed the right to determine as to who are the essential workmen. WW1 in his evidence denied that it is the maagement that has to determine which are the essential services. He admitted that the said right has not been given to the unions as per Ext.M28 He further stated that he does not knowd whether the said right is vested in the management as per the Model Standing Orders. But he admitted that he does not remember whether before Ext. M44 a strike notice containing a recital that essential services will be excluding from strike had been issued. Later on he admitted that essential services will be determined on each occasion that it is the management that takes the decision and that there was no occasion when the union had taken such a decision. Inspite of that the union as per Ext. M44 had taken a decision to exclude the essential services from the strike i. e. arrogating to itself the function of the management. Ext. M45 is the copy of the communication to the Labour Commissioner and others informing them of the strike on 16-7-1973. That the workers at the instance of the unions struck work is admitted. I have found earlier, that the demand as per Ext. M 32 was unjustified and so also the demand in Ext. M35. The demand in Ext. M35 was made after having given a quietous to the

demand in Ext. M32 at the discussion held on 2-4-1973 which fact has not been denied by the unions in Ext. M37 when their attention was brought to it in Ext. M36. Therefore the token strike resorted to on 16-7-1973 cannot be held to be for any justifiable reasons.

11. It appears that as per Ext. M46 the District Labour Officer, Kozhikode called a joint conciliation conference of the parties at 5 p. m. on 19-7-1973 and as per Ext. M47 the Deputy Labour Commissioner convened another joint conference at 3 p. m. on 21-7-1973. It is admitted that no tangible result could be achieved at the conferences so convened. The management alleged that in the meantime i. e. on 18-7-1973, at about 3 p. m. a large number of workers came in procession shouting slogans and entered into corridor of the main office and squatted on the steps of the stair-case causing hindrance to the staff working in the office and others who are coming to the main office for different purposes. The same is alleged as a high-handed action by the workers and taking law into their own hands. This is communicated to the unions as per Ext. M48 to which the reply is Ext. M49. In that the unions contended that it a universally accepted principle that the workers have the right to conduct procession shouting slogans to achieve their reasonable rights. They contended that the procession conducted on 18-7-1973 was peaceful and disciplined and did not cause obstruction to anybody. The reply to that is Ext. M50 by the management reiterating the case is in Ext. M48. Ext. M49 shows that there was a procession by the workers as stated by the management but contending that the same was peaceful and in a disciplined manner. There is no evidence to show that the procession taken out on by the workers was in an undisciplined manner and had caused hindrance or obstruction to anybody.

12. The next act of indiscipline and misconduct alleged against the workers is that the employees in the Chipper and Bamboo yard adopted go-slow tatics from 'C' shift on 22-7-1973 onwards in order to pressurise the management to concede the demands of the unions. The management drew the attention of the unions that all the departments in the Pulp Division are mutually interdependent and interconnected and slow down in one department will automatically affect the morking of other departments causing damage to the machinery and danger to the lives of the employees. The management requested the unions to advise the members to desist from go-slow tatics and resume normal working, failing which the managemens will be constrarned to take appropriate action inclusive of laying off workert under Section 25 (E) (iii) of the Industrial Disputes Act. The above is informed to the unions as per Ext. M.51 and Ext. M.52 is the notice displayed to the same effect. Ext. M 53 is the report by MWI to the Factory Manager on 23-7-1973 stating that the feeding is very poor and that they (employees) are doing the feeding very slowly, that he had told them to feed well and do as normal way and gave them written warning which they refused to accept, that even after the one hour time they are continuing the slow feeding. Ext. M 19 series are the warnings

issued by MW1 to the employees alleging that they have adopted go slow in unloading the raw-materials and requiring them to resume normal work within one hour of the receipt of the same. It is stated that the above notices were refused by the concerned workers. It is stated so in Ext. M53 Ext. M54 is the letter to the personnel Department by MW1 stating that the feeders are doing very slow work since the 'C' shift on the previous day and that that day also the feeding is very poor, that he had told the workers to feed well but still they are feeding less and as such the production is less. The unions deny the go-slow tatics alleged as adopted by the workers. The receipt of Ext. M 51 by the unions is admitted by WW1 eventhough he would say that he has not seen Ext. M 52. The notice published on the basis of Ext. M 51. It is admitted that no reply was sent to Ext. M 51 denying the facts alleged therein. WW1 would say that he made enqutes in the plant on receipt of Ext. M 51 and came to know that the arrival of the raw materials was not sufficient in view of the dispute between the drivers of the lorries and the managers regarding waiting charges and that the contractors and drivers are not the members of their unions. There is no independent evidence to show that there was any dispute belonging the drivers under the contractors and the management so that the contention that the arrival of raw materials was not sufficient in justification of co produ-ction cannot be regarded as correct. None of the drivers or contractors have been examined to prove the same. The fact that they are not members of the unions cannot be held to be a sufficient reason for their non-examina-tion. To the suggestion put to WW1 that the prodction in the 'C' shift on 22-7-1973 was less than the 'A' and 'B' shifts by 50% he admitted that the production was less but he does not know in which shift. From that it can be seen that the production in 'C' shift on 22-7-1973 was less. WW3 is a second grade operator in the Wetend Section. In his cross-examination he stated that in the book shown to him it is written as " want of pulp " in the C. Shift. He again admitted that the entries against 'A' and 'B' shifts on 23-7-1973 is less (production) where as no production is noted in the 'C' shift on that day. He admitted that those entries were made as there no work was carried on. MW1 is the Head of the Department of the Chipper Section. He stated that as per Ext. M 73 the arrival of raw materials in lorry loads on 21-7-1973 was 120, that on 22-7-1973 was 138 lorry loads and on 23-7-1973 was 30 lorry loads. He further stated in his cross-examination that the reason for the arrival of 30 lorry loads on 23-7-1973 was because the local lorries were stopped on his instructions by the Raw material Department. He stated the reason for stopping the local lorries as that the lorries that arrived on 22-7-1973 were not unloaded. He denied the suggestion regarding the dispute between the contractors and the management. Regarding the work done in the Chipper House the evidence of MW1 is that the chippers worked for 90 hours and 35 minutes on 21-7-1973 and filled 14 digesters and also fed 40 tones in the silo. In the 'A' shift on 22-7-1973 6 digesters were filled working for 38 hours and 45 minutes. 5 digesteres were filled

working for 34 hours and 30 minutes in the 'B' shift whereas in the 'C' shift only 3 digesters were filled. The work done in the 'C' shift was for 33 hours and 45 minutes as could be seen from Ext. M9 as deposed by MW1. He also stated that working for 33 hours and 45 minutes in the 'A' shift on 23-7-1973 only 2 digesters were filled and the same can be seen from Ext. MIl. The above evidence of MW1 shows that there was decrease in production. MW3 was the shift in charge in the Digester House. He deposed that he was in-charge of the 'B' shift on 23-7-1973 and that no digester was filled in that shift as chipps are not conveyed from the chipper house. His evidence further shows that 5 digesters were filled in the 'B' shift on 22-7-1973. In his cross-examination he admitted that Ext. MIl will not show an entry regarding any pulp got damaged. MW4 was the Assistant Bamboo Yard Officer. Ext. M73 is the Weigh Bridge Register main-ained by him which shows the arrival of 138 lorries of raw-materials on 22-7-1973 out of which 103 were unloaded in the chipper and the remaining were directed to the Bamboo yard. The arrival of raw-materials on 23-7-1973 was 30 lorries out of which 22 lorries were unloaded in the Bamboo yard, one in the chipper and the remaining 7 at the Peruvayal Depot. The unloading at the Bamboo Yard is stated to be because the same was not unloaded in the chipper on the refusal of the workers to unload the same. The above evidence supports the go-slow tatics adopted by the workers in the Chipper House in unloading the raw-materials and the consequent decrease in production. The decrease in production is not stated to be on account of any other reason. It has also come out in evidence that raw-materials can be brought from the Bamboo yard or from the depots by trailors within minutes. If really, the arrival of the raw-materials by lorries was less as contended by the unions there is no reason stated as to why the raw-materials stocked could not be brought through trailors and the plants worked in the normal manner. The contention that the registers Ext. M9, M 11 and M 73 were produced only at a later stage cannot detract the genuiness of the entries made therein. The corrections found in the entries on 23-7-1973 cannot also be of much consequence because there are similar corrections in the entries made on other dates. The above documents and the evidence discussed earlier, will clearly show that the workers in the chipper house adopted go-slow tatics in unloading the raw-materials and consequently there was a decrease in production. It has been held by the Supreme Court in the case between Bharat Sugar Mills Ltd. *Vs* Jai Singh reported in 1961 II LLJ P. 644 that "go-slow which is a picturesque description of deliberate delaying of production by workmen pretending to be engaged in the factory is one of the most pernicious practices that discontended or disgruntled workmen sometimes resort to. It would not be far wrong to call this dishonest. For, while thus delaying production and thereby reducing the output, the workmen claim to have remained employed and thus to be entitled to full wages. Apart from this also, go-slow is likely to be much more harmful than total cessation of work by strike. For, while during a strike much of

the machinery can be fully turned off, during the go-slow the machinery is kept going on a reduced speed which is often extremely damaging to the machinery parts. For all these reasons go-slow has always been considered a serious type of misconduct". The circumstances stated earlier will show that the workmen who are the members of the unions indulged in that serious type of misconduct.

13. Besides the notice Ext. M 52 the Factory Manager issued separate show cause notices to the 6 workmen in the chipper house as per Ext. M 56 stating that inspite of the repeated instructions and warnings by the Departmental Head, they did not obey the same and continued to do the work of unloading the raw-materials in a very slow manner. They were required to explain as to why disciplinary action should not be taken against. They were also suspended pending enquiry. The case is that the workmen in chipper house on coming to know of Ext. M 56 struck work from 3 p. m. onwards for which the management published Ext. M55 notice stating that the workmen in the chipper house instead of resuming their normal duty have struck work completely from 3 p. m. and informing them that they will be marked absent besides taking disciplinary action. Ext. M 57 is the notice containing the second and final warning regarding go-slow tatics by the workmen alleging that the workmen in the chipper house struck work as a wh le and also gheraoed their Departmental Head Mr. P. K. Appu and that the gheraoe is being continued. It also contains a final warning that the management will be constrained to declare a lay-off if the factory under section 25 (E) (iii). Ext. M 58 is the copy of the letter addressed to the District Collector with copies to the District Superintendent of Police, Kozhikode, the Circle Inspector, Chevayoor, and the Sub Inspector, Mavoor containing the same recitals as in Ext. M57. The gheraoe of MW1 by the workmen in the chipper house is denied by the unions. WW1 in his evidence denied the same. MW1 in his evidence stated that he was gheraoed in the cabin of the shift-in-charge and that it continued till 9 p. m. when the police came and arrested the workers. That 14 persons who are the feeders in chipper were arrested and that WW2 is one among them is deposed by MW13. MW4 in his evidence stated that he found MW1 sitting in the room of the shift in-charge that the workers were standing at the door and that he understood that MW1 was being gheraoed. Ext. X2 is the case diary in Crime No. 75/73 of Mavoor Police Station registered on 23-7-1973 at 21 hours on a complaint by the Security Officer, by MW13. He went to the spot and found that Appu, Superintendent of the chipper house wrongfully confined by some people. He arrested 14 persons and later release them on bail. The names of the persons arrested are shown in the F. I. R. There is some discripancy regarding the place where Appu was wrongfully confined as could he seen from Ext. X2 and the evidence of MW13. This is explained as because that the answers in cross-examination are given without reference to Ext. X2 and the incident took place about 8 years back. That discrepancy will not affect the credibility of

MW13 and the fact that he rescued Appu from the wrongful confinement by arresting 14 persons. It is true that the case charge sheeted by MW15 on the basis of Ext. X2 was withdrawn as per the order from the Departm:nt. The same will not effect the fact shown in Ext.X2 i..e. the gheraoe of MW1 by 14 workers of the factory after arresting them. The rescue from the gheraoe was at about 9 p. m.

14. Ext. M 59 is the notice under section 25(E) (iii) of the Industrial Disputes Act laying off of the factory except the essential services noted therein with effect from 11 p. m. on 23-7-1973 i. e. 'C' shift. The reasons stated therein are that inspite of the final warning notice (Ext. M 59) the workers remained adamant and continued cessation of work and gheraoed the departmental head of the chipper house, that at about 9 p. m. the workers took law into their own hand by unauthorisedly blowing the siren, striking work and voluntarily stopping the various departments, that the management has no other alternative but to declare lay off under section 25 (E) (iii). The reason stated in Ext. M 59 i. e. the blowing of the siren and the stoppage of the work of the departments by the workers is denied in the rejoinder. WW1 in his evidence denied the blowing of the siren by the workers but he admitted that the plants were stopped which according to him was done by the departmental heads and that the work in the 'B' shift was then being carried on in the normal manner. MW3, who was the superintendent in-charge of the Digester house deposed that at 9 p. m. siren was blown and the operators left the plant refusing to do work and that the blowing of siren at 9 p. m. is unusual. He further stated that without the operators it is not possible to carry on the work in the digester house that there were materials in process in the digester house at 9 p. m. that 165° centigrade and 7 atmospheric pressure is required for processing in the digester, that before leaving the operators did not bring down the temperature or pressure that when they left he released the pressure by opening the valve and left it, and that the chips in process got damaged due to leaving of the operators. He admitted in his cross-examination that if a lay off has to be declared at 11 p m. precautionery messures of shutting down will have to be started at 4 p. m. He denied the suggestion that the management had given him instructions to shut down the plant from 4 p. m. as it wanted to declare a lay off from 9 p. m. The suggestion that the shutting off of the plant was a precalculated messure by the management to declare a lay-off is denied by him and his evidence shows that the plant was shut of after 9 p. m. when the operators left. MW5 was the process superintendent in-charge of Digester. He stated that he had gone to the digester that there were no operators at that time i. e. at 9 p. m, he asked Thomas to blow digester No.7 and that he told him that he had been asked not to do any work after the long whistle. He further stated that the Digester No.7 was in high pressure and that MW3 released the pressure. He further stated that in Ext. M 12, Washing Plant Log Sheet register, it is entered on 23-7-1973, that there is no pulp in 13 tank at 20.45 hours.

Ext. M 20 is the report filed by him regarding the long whistle and what happened at the digester. Even though in his cross-examination he stated that the entired (meaning all) statement in Ext. M 20 is not correct what has been brought out as incorrect from the previous questions and answers does not materially affect the statement made in Ext: M 20 and the credibility of MW5. MW 6 was the shift in-charge of the Bleaching Department and Ext. M 13 is the Log-book maintained there. At page 23 of Ext. M 13 it is entered that Bleaching plant was stopped at 9 30 p. m. by the workers on strike. MW 7 was process Superintendent No. 4 in-charge of Evaporator JMW Boiler Roasters and Caustisizing Lime Killn. Ext. M 16 is the log-book maintained in the Evaporator. He stated that it is entered on 23-7-1973, that steam closed and plant stopped at 9 p. m. by the operator. He further stated that there was a long siren at 9 p. m. and thereafter the workers stopped work and that he saw the switching on and switching off of the siren and that there were 50 persons at that place. He came to know an enquiry that the siren was blown as an indication to stop work. He also proved the entries in Ext. M 17 log book maintained in JMW Boiler section. MW8 was the shift incharge of the Water Treatment Plant in July, 1973. He stated that if the workers under him in the water treatment plant stop work, the work in the factory will be stopped. Ext. M6 is the log-book maintained in his section. He stated that at about 8.45 p. m. on 23-7-1973 some leaders of the workers action council came to that plant called the workers in that plant and asked them to stop the pumps and that accordingly the workers stopped the pumps. He further stated that the hard water pumps and soft water pumps to Fibre Division were also stopped and that if those pumps are stopped, work in the Fibre Division cannot be carried on. He made the remarks about the stoppage of pumps in Ext.M6 at pages 58 and 59. He also stated that the workers went out after stopping the pumps and then he heard the company siren being blown which is unusual. Within 5 or 6 minutes, the Asst. Superintendent of the plant reached there to whom the workers told that all the pumps have been stopped. Thereafter on his request the soft water pump to the Fibre Division was worked for sometime. In his cross-examination he stated that the pumps will have to be stopped for various reasons but in his re-examination he stated that pumps will not be stopped affecting running of the factory as was the ease on 23-7-1973. MW9 was the Assistant Superintendent of the Water Treatment Plant. He stated that on 23-7-1973 there was an unusual blowing of the siren at about 8.45 p. m. and so he went to his department. The workers told him that they stopped the pumps to the Fibre Division and one of the filtered water pumps as per the instructions from the action council. On his request one pump to the Fibre Division was restarted and the request was made by him as the stoppage of the pump will cause damage to the machinery. Ext. M22 is the report filed by him, the original of which is Ext. M22 (a). The suggestion that Ext. M 22 (a) was written by him in order to justify the lock-out was denied by him.

MW 11. was the shift in-charge of the Wetend section of the pulp division and Ext. M14 log-book is maintained by him. He stated that at about 20.50 hours the long wire was stopped by K. Bawa the concerned operator on 23-7-1973, without any instruction or consent from the superiors. He stated that production stopped due to the stoppage of the long wire and that Bawa and other workers did not do their duty. He stated that some other workers who were not the workers of that department were also seen there and that he made a record of the same in Ext. M 14. The suggestion that the entry regarding the stoppage of the long wire in Ext. M 14 was made subsequently in order to justify the lock-out was denied by him. MW 14 was the Chief Electrical Engineer in the pulp division in-charge and Superintendent of the electrical equipments and machinery of the factory. He stated that the generator OCB etc. are some among the electrical equipments in the factory. On 23-7-1973 the factory was not running normally since the workers were in an agitated mood indulging in go-slow, disloyal of instructions from superiors and not doing their work in the proper way. As a result of which the plants were not producing the full capacity. He stated that at about 9 p. m. the siren was blowing intermittently several times which was unusual. He went to the factory and to the Generator Turbine Control Room. He saw there a number of workers not working in that section and who are not authorised to enter the room. They took the switch board operator aside and talked to him. He could not hear what they talked but guessed that they are planning for something. By about 10 p. m. the switch board operator switched off the generator O.C.B. due to which all plants running on generator power stopped automatically and that the switch off was done by the operator of his own accord. After switching of the generator O. C. B. the operator switched on the alternate supply and that though he is entitled to do it on certain conditions none of those conditions were present on that date. He stated that there will be production loss and loss of materials under process due to the switching off of the generator. Ext. M 24 is the report by him to the Chief Engineer of which the original is Ext.M24(a). It is true that Ext. M24 (a) does not contain all the details spoken to by him In his re-examination he stated that all the details are not expected to be shown in the same. MW16 was the Plant Superintendent in the Wetend Section. On information received from R. K. Menon. shift-incharge by telephone that workmen from other sections are found in his section and that they are not allowing the workmen of his section to work, he went to the plant at about 8 p. m. and found workmen from other sections and were shouting to him that they are on strike and as such please go out. He heard the blowing of a siren at about 8.50 p. m. which was unusual. On the blowing of the siren, the Wire boy A. Bawa stopped the wire without stopping other things. He asked Bawa to empty out the wire so that the machinery may not be spoiled which he refused to do. By stopping the wire, the wire as well as the machinery will be damaged and production will be stopped. He further stated that the workmen in his section and other sections were coming out shouting slogans Stoppage of the wire will have the effect of the stoppage of the entire

Wetend section. He admitted that he had not made any entry in any record to show that he had seen any incident on 23-7-1973 but his evidence is that it was not done because he was not allowed to enter his office room. The evidence of the above witnesses prove the circumstances stated in Ext. M59 for declaring a lay off. The blowing of the siren and the stoppage of the work in the respective departments by the workers is spoken to by them. The stoppage of the plants is admitted by WW1. That it was done by the departmental heads as spoken to by WW1 is not corroborated by any other evidence. Hence the blowing of the siren and the stoppage of the plants unauthorisedly by the workers as stated in Ext. M59 must be upheld as correct.

15. Ext. M 60 is the copy and Ext. M 60 (a) is the letter by Assistant Security Officer, MW12 to the factory Manager. He reported that "after displaying the notice declaring lay off, workers went inside the factory after punching their cards. Inspite of clear instructions from the security staff a large number of workers went inside the factory and collected at the gate and also at different places inside the factory in various groups. At about 3 a. m. today ie 24-7-1973, a group of workers came and displayed a handwritten notice signed by all the 9 unions instructing all the employees to join the strike from 7 a. m. on 24-7-1973. The employees noted below (in that notice) were treated as essential. Under the circumstances, the factory and colony area will be left without any production since the security and fire service will also join the strike. There is likelyhood of theft, sabotage and damage to the valuable machinery and other properties inside the factory and to the lives and property in the factory and colony premises". It was on the basis of Ext. M 60 that a lock-out was declared in the factory as per Ext. M 61. The reasons for declaring the lock-out which are considered by me before are stated therein. Ext. M 62 is the communication sent to the Labour Commissioner with a copy of the lock-out notice. Ext. M 63 is the letter to the D. S. P. stating about the notice of strike and the declaration of the lock-out and requesting to arrange to protect the factory and colony areas. Ext. M62 also reference to a photograme sent in the morning of 24-7-1973 regarding the display of strike notice and consequent declaration of lockout. The contention of the unions is that there was no notice of strike displayed as stated in Ext. M 61 which according to the management was the immediate cause for the declaration of the lockout. Ext. M60 shows that even after the declaration of lay-off with effect from 11 p. m. on 23-7-1973 the workers of the 'C' shift enerted the factory after punching their cards. The evidence of MW 12 is that he saw the notice declaring lay-off from 'C' shift on 23-7-1973 that the workers entered the factory, that the workers gathered at the gate also, that he saw a notice exhorting the workers to join the strike, displayed on the wall at about 3 a.m. and that he made a report of the same to the Security Officer as per Ext. M60 (a). He stated that the workers entered the factory disregarding the lay-off notice and that the said fact was recorded by him

in the log book. He denied the suggestion that Ext. M 60 (a) was concocted for the purpose of this case. WW1 in his evidence admitted that after B shift the workers of that shift went out and that the workers of the 'C' shift entered the factory after punching their cards. He also admitted that the union leaders were in the office as usual. The same shows that inspite of the lay-off notice the workers of the C shift entered the factory. WW1 would say that neither he nor the union leaders saw the lay off notice Ext. M 59 and that they knew of it only on the morning of 24-7-1973. But he admitted that some workers had seen the notice at about midnight and that some out of them returned to their house and that the others remained in the factory. WW1 stated that the workers of the C shift were not given work to a suggestion put to him whether it is not correct that after B shift no work was done. He denied the suggestion that the B and C shift workers were in the factory after the lay-off notice and that he came to know the same from the workers themselves. The workers to whom he made enquiries have not been examined. Admittedly WW1 was not in the factory after 10 p m. Ext. M60 and the evidence of MW12 taken along with the admission made by WW1 will show that the workers of the 'C' shift entered the factory and that atleast some of them knew of the lay-off notice. The entry into the factory by the workers after the lay off is illegal.

16. The case of the workman is that there was no notice of strike pasted on the wall as alleged in Ext. M 60 (a) and as such the reason for declaring the lock-out was not in existence and therefore, the lock-out is illegal. It was also contended that the management should not have taken the extreme step of locking out the factory and denying employment to the workers only on the basis of the report of the Assistant Security Officer. It is true that the lock-out declared as per Ext. M61 was based on Ext. M60 (a), the report of the Assistant Security Officer. The evidence of MW 12, the Assistant Security Officer is that the workers entered the factory even after lay-off notice was displayed at the gate and other workers had gathered at the gate. He further stated that at about 3 a.m, a notice was pasted on the wall exhorting the employees to participate in the strike from 7 a. m. on 24-7-1973. The report given by him to the Security Officer is Ext. M 60 (a). He stated that a brief content of the strike notice is stated in Ext. M 60 (a) and he gave that report in order that steps may be taken for the protection for the property of the management. Ext. M 60 (a) shows that it was forwarded by the Security Officer to the Manager for taking necessary and immediate action to avoid untowards incident that are likely to happen inside the factory area. In his cross-examination he stated that it did not occur to him to take a copy of the strike notice. In his cross-examination he stated that he does not remember whether the fact that the security personnel and the fire service personnel have not been excluded from the strike was noted in the log book.But Ext. M 60 (a) shows the personnel treated as essential which does not show that security personnel and fire service

personnel have been treated as such. The report further shows that the security and fire service will also join the strike. He further stated that the memo register will show that he had sent Ext. M 60 (a). He further stated that to his knowledge he alone had seen the strike notice and denied the suggestion that Ext. M 60 (a) was concocted inorder to justify the lock-out. Since MW 12 alone had seen the strike notice there is no question of any other independent of corroborate evidence being adduced in support of the same. Ext. M 60 (a) shows that it was sent immediately noting the contents of the strike notice in brief. The receipt of the same by the factory manager, MW 18, prior to the declaration of the lock-out is deposed by him. He further stated that it was the report Ext M 60 (a) that led to the declaration of the lock-out. Ext. M 62 sent to the Labour Commissioner on 24-7-1973 refers to a phonogram sent to him that day morning stating about the declaration of strike by the unions. In view of the above circumstances, the contention that no strike notice was displayed on the wall and as such the lock-out was not justified cannot be upheld.

17. The next contention urged is that the management acted in undue has to in declaring the lock-out. The contention is that the management alleged go-slow from 'C' shift onwards on 22-7-1973, suspended 6 workers at 1 p. m on 23-7-1973, displayed a lay-off notice at about 11 p. m., and declared the lockout from 7 a. m. on 24-7-1973. Ofc ourse in paper the same may look as done rather hastely. But the evidence discussed by me earlier show that the management was trying to meet the illegal action of go-slow, gheraoe, etc. by the workers, which would appear to have been indulged in quick succession. Therefore, the above argument on behalf of the union against the justifiability of the lock-out does not appear to be acceptable.

18. The next contention is that the management was in the habit of alleging go-slow whenever there was some trouble but that it did not take action on those occassions in order to show that the allegation of go-slow made by the management is false. Ext. W4 and W5 are produced to show the same. Ext. W4 and W5 show a request by the management to correct and mend the ways and means adopted by the unions. Hence the fact that no action has been taken previously will not go to show that the go-slow alleged from the 'C' shift on 22-7-1973 was false.

19. The next contention is that section-wise lay-off was possible even if the go-slow alleged in the chipper house is true, and as such the locking out of the entire factory was not justified. For that purpose the learned counsel for the unions relied on the evidence of MW18 that prior to this the entire factory has not been laid-off on the ground of go-low but that sections have been laid off on that ground. On that basis it was contended that section-wise lay-off was possible. The contention of the management is that it is not possible as all the sections are inter-connected and

inter.dependent. WW1 in his evidence stated that : പാംപ് ഡിവിഷനിലെ ഡിപ്പാർട്ടുമെന്റിൽ വെച്ച് ഏറ്റവും അധികം തൊഴിലാളികൾ ബാംബൂയാർഡിലും, ചിപ്പർ ഹൗസിലും ആണ്. ബാംബൂയാർഡിലും, റോ മെറ്റീരിയൽസ് സ്റ്റോക്ക് ചെയ്യുന്നുണ്ട്. ലോറിയിൽ വരുന്ന മെറ്റീരിയൽസ് ചിപ്പർ ഹൗസിൽ വന്ന് നേരിട്ട് അൺലോഡ് ചെയ്യും. എല്ലാ റോ-മെറ്റീരിയൽസു ചിപ്പറിലേക്ക് ഫീഡ് ചെയ്യും .... ചിപ്പർ. ചിപ്പ് ചെയ്ത മെറ്റീരിയൽസ് screening മുതലായവയ്ക്ക് ശേഷം digester ലേക്ക് പോകും........digester-ൽ നിന്ന് materials, Washing ലേക്കും, അവിടെ നിന്ന് Bleaching അവിടെനിന്ന് Wetend ലേക്ക് പോകും Wetend നിന്ന് Drier അവിടെനിന്ന് Pulpsheets ഉണ്ടാക്കും... .... ഇതിന്റെയൊക്കെ ഭാഗമായി റിക്കവറി യൂണിറ്റ് ഉണ്ട്. മുൻപറഞ്ഞ departments ഉം, റിക്കവറി യൂണിറ്റ്, പവർയൂണിറ്റ് ഇവ inter dependant ആണ്. In the earlier portion he denied the suggestion that the other departments will be affected if there is a go-slow in the bamboo yard but admitted that all departments are inter-connected and inter-dependent. It has to be remembered that the go-slow was adopted in the bamboo yard and chipper house from where the raw-materials is feeded. In view of the evidence of WW1 that all the departments are inter-connected and inter-dependent the case that section-wise lay-off was possible does not appear to be correct. It has not been brought out from MW 18 as to which sections were laid off previously. WW3 also admitted that the departments from chipper house to drying section are inter-connected. In view of the above circumstances the above connection also does not appear to be acceptable.

20. It was next contended that the workers had received advances from provident fund and that the same would not have been possible if the lock-out was declared in pursuance of a strike under section 68 of the Provident Fund Act and since the workers have been advanced amounts from the provident fund it cannot be held that the lock-out was on the basis of a strike. Ext. XI is the file showing the disbursement of the amounts from the provident fund. WW3 is one of the persons who applied for the provident fund and got it. He admitted that the application was not submitted by him through the management. It was contended before me that the Provident Fund Commissioner when giving sanction for advances from the provident fund had no statutory duty to hold any enquiry as to whether the lock-out was as a result of the strike or not and that not even a preliminary enquiry is contemplated. It was also contended that the Commissioner did not consult the management or make any enquiry before sanctioning the advances. As such it was contended that the fact of having made advances from the provident fund will not show that there was no strike. In the absence of any evidence to show that the Provident Fund Commissioner had made enquiries and on that basis had come to the conclusion that the lock-out was not as a result of the strike, the contention based on Ext. XI also cannot be accepted.

21. MW 18 in his evidence stated the reasons for declaring the lock-out. But Ext. M 61 does not show that the workers were violent or that they did not allow the officers to enter into the company premises, which are also the reasons stated by him. That fact also will not detract the validity of the lock-out.

22. The learned counsel for the management contended that the subsequent communications especially Ext. M 64 and Ext. M 71 will show that the workers were on strike. Ext. M 64 dated 24-7-1973 is a letter by the unions to the Personnel Officer of the management for disbursement of the production bonus for the month of June, 1973 and requesting to take step for disbursing the same. It is further stated that "further it is informed that necessary staff for disbursement of production bonus will be sent to time office." Ext. M 70 is the letter by the management drawing attention to the fact that "if the staff of the time Office is not made available for the preparation of pay sheets, it may not be possible for us to distribute the salary/wages due on 1st and 10th of August, 1973" and expressing a hope that the unions will make available the time office staff from the next day onwards. Ext. M 71 dated 27-7-1973 is the reply to that, in which it is stated that "the unions have given necessary instructions to the time office staff including the E. S. I. Departments, to be available for duty in connection with the payment of salary for the month of July, 1973 from 28th onwards". The sentences in Ext. M 64 and M 71 extracted are relied on by the management to show that workers were under the absolute control of the unions and that the same can be only due to the strike as per the strike notice displayed. The contention of the unions is that the above letters were sent because the police were guarding the factory after the declaration of lock-out and as such the entry by workmen into the premises would have been illegal and amounted to trespass. The language used in the above exhibits do not amounts to a request to the management for permission to enter the premises for doing the duties stated therin. On the other hand it says that the necessary staff will be sent and that instructions have been given to the time office staff to be available for duty. The same is indicative of the fact that the staff were under the control of the unions and that can be only due to the strike alleged by the management.

23. The case that the unions did not challenge the validity of the lock-out in the subsequent communications has to be rejected as a challenge to that effect is seen as made in Ext. W1 dated 25-7-1973 addressed to the Deputy Labour Commissioner. However, there is no communication addressed to the management challenging the validity of the lock-out produced by the unions. A copy of Ext. W1 is not seen as marked to the management. For the foregoing reasons ie., raising a demand for interim relief which has to be held to be illegal in view of section 23 (c) of the Industrial Disputes Act as the same was made when Ext. M 30 was in operation, and unjustifiable in that there is no credible evidence in support of that demand or that any other establishment had paid such a relief, at

reviving that demand in a different way and after a settlement had been arrived at on 2-4-1973 regarding the earlier demand that indulging in a token strike on 16-7-1973, indulging in go-slow from 'C' shift onwards on 22-7-1973, and not resuming normal work, in disobedience of the instructions and warnings of the superiors, striking work in the chipper house from 3 p.m. on 23-7-1973, gharaocing the departmental head of the chipper house, entry into the factory after the display of the lay-off notice, and the display of strike notice, which led to the declaration of the lock-out show that the declaration of the lock-out was justified and legal. Legal because of section 24(3) of the Industrial Disputes Act as the strike was illegal. Therefore, I find the above issue in favour of the management.

24. It is admitted that the lock-out was lifted as per Ext. M1 and M2 with affect from 7 p.m. on 15-12-1973. The contention of the unions is that the continuation of the lock-out by the management especially after Ext. W3 dated 11-11-1973 cannot be justified in any view of the case and as such the workmen are entitled to their wages thereafter or atleast the blame for continuation of the lock-out has to be apportioned between the workers and the management. The contention of the management is that the issue referred for adjudication does not refer to the validity and justifiability of the continuance of the lock-out and the consequences thereof and as such a consideration of the above question by this court will be beyond the scope of the reference and as such without jurisdiction. It is true that the issue referred for adjudication is the legality and justifiability of the lock-out effected by the management from 7 a.m. on 24-7-1973. It does not refer to the legality and justifiability of the continuance of the same. But the issue referred is the lock-out declared on 24-7-1973. The lock-out was there not only on that date but also continued till it was lifted on 15-12-1973. When the justifiability and legality of the lock-out declared on a particular day is required to be adjudicated, its continuance till it was lifted also requires to be adjudicated as it must be held as forming part of and ancilliary to the main issue. The consequences of the lock-out also is a matter that must be held as forming part of the main issue referred. Therefore the contention raised on behalf of the workmen appears to be justified and within the jurisdiction of this court. Hence I have dealt with that matter hereunder.

25. In the case between the Statesman Limited vs. their workmen reported in 1976 I LLJ P. 484 (Supreme Court) their Lordship held "the management cannot behave unreasonably merely because the lock-out is born lawfully. If by subsequent conduct, imaginatively interpreted, the unions have shown readiness to resume work peacefully, the refusal to restart the industry is not right and the initial legitimacy of the lock-out loses its virtue by this blemished sequal". It was also stated "had the management reacted with goodwill when the workers the very next day offered to be peaceful and resume work, the prolonged situation of cessation of work could have been saved. It is therefore, a case which attracts Indian Marine Services decision. In that case also this Court

found it fair to direct that the workmen should got half the wages during the strike period". On that basis their Lordship affirmed the award of the Industrial Tribunal apportioning the blame of the strike and lock-out period on both sides. The above decision shows that the unions had expressed a readiness and willingness to resume work peacefully the very next day after the lock-out. The question is whether the unions in this had at any time till Ext. M1 and M2 expressed a willingness to resume work peacefully. Ext. W1 is the letter by the unions on 25-7-1973 to the Deputy Labour Commissioner, Kozhikode. In that they challenged the validity of the lock-out but there is no expression of willingness and readiness to resume work peacefully. A copy of the same was also not sent to the management. Ext. W2 is another letter to the Labour Commissioner with copies to the Hon'ble Minister for Labour and Deputy Labour Commissioner dated 30-9-1973. The same relates to the non implementation of the clauses in Ext. M30. It is admitted that a copy of the same was not sent to the management. Ext. W2 also does not contain an expression of willingness and readiness to resume work. Ext. W3 is the copy of the letter sent to Messrs. G. D. Birla, D. P. Mandolia, A. V. Birla and I. G. Pirekh by the joint action council. It is admitted that a copy of the same was not sent to the local management. In addition to making allegation against the local management its state that "now the factory is under lock-out for about 4 months. The company has lost considerably, the employees have suffered a lot and the nation is also loosing much. Though the employees were prepared for an amicable settlement of the dispute the management is not prepared for the same only because of the false prestige". It is only in Ext. W3 that a statement regarding the willingness of the unions for an amicable settlement is expressed. Ext. W3 is dated 11-11-1973. A copy of the same was not sent to the local management admittedly. Therefore, Ext. W3 also cannot be taken as an expression of willingness and readiness of the employees to resume work peacefully. It is admitted that the management had taken part in the conciliation conferences convened as per Exts. M25 to M29 but no result would appear to have been achieved. The case of the management is that even after the lock-out the attitude of the unions and the employees were not at all conciliatory but threatening. Ext. M66 is a letter dated 25-7-1973 to the unions stating that at about 8.30 a.m. on that day the water plant workers who were declared as essential service department have stopped the domestic water supply pump of the water plant against the instructions of the departmental head. Ext. M67 is the notice regarding the same. Ext. M68 is the reply denying the allegations in Exts. M66 and M67 and informing that the workmen of the department are attending their duties. Ext. M69 is another letter on 26-7-1973 stating that on 25-7-1973 a shift, the workers have not reported for duty in the Water Treatment Plant, further the C shift of 24-7-1973 stopped the domestic supply pump thereby supply of water to the residential colonies were stopped and that it is further reported by the department that though the workers are reporting for duty they are not operating the pump which is supplying water to staple fibre division from 'C' shift on 23-7-1973 onwards.

The stoppage of water supply is spoken to by MW17 & MW18. They also speak of disconnection of electric supply but that is not born out by any communication. But they have not been cross-examined regarding the stoppage of water supply and electric supply to the colony spoken to by them. But at the same time it has to be remembered that no question has been asked to WWI regarding that fact. The case of the management is that every day after the lock-out the unions have been taking out processions shouting abusive slogans along the residential quarters. This is not specifically averred in the written statement of the management. But however, it is admitted in Ext. W3; but the case is that there were demonstrating peacefully. The statement in Ext. W3 is that in spite of the provocative attitude of the management the employees were peacefully taking their demonstrations and satyagrahs against the high-handed attitude of the management. MW16 in his evidence stated that after 23rd every day after 7.30 p.m there was procession of the workmen in front of the quarters wth abusive languages. He has not been specifically questioned regarding that statement. MW17 and MW18 also gave evidence regarding the procession and use of abusive languages. It is admitted on both sides that an incident took-place on 10-8-1973 near the temple. The case of the management is that the Joint President Saboo and other officers who went to worship in the temple were attacked by the workers. The case of the unions is that the attack was not by the workers but by some R. S. S. people as Saboo took along with him to the temple non hindus also. That there were 2 christians along with him on the road is admitted by MW16. As stated earlier that there was an incident on 10-8-1973 is admitted. That the attack was by the R. S. S. People is not stated by the unions in Ext. W3 eventhough a reference to the incident is specifically made mention of in the same. The evidence of MW16 is that at about 5.45 p.m he had gone for an evening walk with some officers of the company that at about 6.pm they reached the temple gate near the factory and that at that time about 150 workmen surrounded them shouting abusive slogans and then 2 persons by name Edward and Karunakaran hit him on the nose causing bleeding and then one Madhavan who was working under him hit him with a stone on the right side of the lower jaw and the lower jaw bone on the right side was broken that he fell down unconscious and regained consciousness from the medical college hospital. He has spoken to about the violence by the workers and attack on him by 3 workmen whom he identified. But there was no cross-examination regarding the above fact. In his cross-examination it was suggested that Saboo had fired at the people gathered there. But the case in Ext. W3 is that it was the Security Officer who surrendered the revolver and a case is pending against him. Eventhough it is alleged that Saboo also had used the revolver, it is admitted that there is no criminal case charged against him. The suggestion made to MW16 that Saboo had used the revolver is denied by him. That the revolver was used against some of the workmen is admitted in the rejoinder which shows the presence of the workmen near the temple gate.

MW 17 and MW18 have also spoken of the action of the workmen in surrounding Saboo and others while going to the temple and bodily injury caused about which there has not been a cross-examination. The suggestion put to MW 17 is that it was the Security Officer who used the revolver. It is not quite necessary to consider the truth or otherwise of the case alleged by either side and to decide who is guilty in this case. But the above incident will clearly show that the atmosphere was far from such as to reach an amicable settlement of the dispute or that it can be held that the workers were prepared to resume work peacefully. The allegations made in Ext. W3 will further strengthen that view. Therefore, it is not possible to hold that the workers were prepared to resume work and that the management prolonged the lock-out without any justifiable reason. The matter was settled only as per Ext. M1 and M2 on 12-12-1973 and the lock-out agreed to be lifted on 15-12-1973. There is no evidence worth the name to show that the workers were prepared to resume work peacefully. Therefore, they cannot be held to be entitled to the wages for the period of the lock-out.

26. In view of my above finding, I pass the award holding that the lock-out declared from 7 a. m. on 24-7-1973 is legal and justified. I further hold that the workers are not entitled to their wages for the period of the lock- out in view of the fact that the lock-out is legal and justified and also because they cannot be held to have expressed their willingness to resume work peacefully on any day after 24-7-1973 till Ext. M1 and M2 much less from 11-11-1973 as per Ext. W3. Therefore the question of apportionment of the blame for the continuance of the lock-out does not arise.

27. This award will come into force 30 days after its publication in the official Gazette.

Dictated to the Confidential Assistant, transcribed by him, revised, corrected and passed by me on the 4th day of May 1982.

T. M. VISHNU NAMBISSAN,
Presiding Officer,
Labour Court, Kozhikode.

Appendix

Witnesses examined on the side of the Workmen :

1. WW1 Mr. P. K. Sivaraman Nair.
2. WW2 Mr. C. Narayanan.
3. WW3 Mr. K. T. Chandrasekharan.

Witnesses examined on the side of the Management :

MW1 Mr. P. K. Appu.
MW2 Mr. Asok Naidu.
MW3 Mr. A. R. Ambasankar.
MW4 Mr. P. C. George.
MW5 Mr. D. K. Jain.

MW6 Mr. K. P Chitharanjan
MW7 Mr. George Joseph
MW8 Mr. T. Ramachandran
MW9 Mr. K. P. George Varghe
MW10 Mr. M. Chandran.
MW11 Mr. R. K. Menon.
MW12 Mr. K. Divakaran.
MW13 Mr. Kunhunni Menon.
MW14 Mr. Arunachalam, C.
MW15 Mr. P. M. Janardhanan.
MW16 Mr. A. R. K. Rao.
MW17 Mr. K. P. Lakshmanan Pillai.
WM18 Mr. P. M. Mohammedkutty.

Documents marked on the side of the Workmen :

Ext. W1 True copy of letter by the unions to the Dy. Labour Commissioner, Kozhikode, dt. 25-7-1973.

,, W2 do. letter by the unions to the Labour Commissioner, Trivandrum dt. 30-9-1973.

,, W3 do. letter by unions to M/s G. D. Birla, D. P. Mandelia, A. G. Birla and I. H. Parekh, dt. 11-11-1973.

,, W3(a) do. Original of above item No. W-3.

,, W4 True copy of letter from Factory Manager to all unions dt. 25-8-1971.

,, W5 do. do. dt. 28-8-1971.

,, W6 do. G. O. Rt. 88/77/LBR. issued by the Government of Kerala, Labour (A) Department 13-1-1977.

,, W7 True copy of the order of the Govt. of Kerala regarding interim relief dt. 23-3-1981.

,, W8 True copy of Lay off application filed by the Factory Manager to Government seeking permission to lay off during 1981.

,, X1 File produced by the Provident Fund Inspector, Calicut.

,, X2 File on Case Diary in C. C. No. 75/73. produced by the Mavoor Police.

Documents marked on the side of the Management :

Ext. M1 Memorandum of settlement (true copy) between the management and the unions dt. 12-12-1973.

,, M2 Agreement between the Management and the unions (True copy) dt. 12-12-1973.

,, M3 True copy of the Lay-off Notice of the Staple Fibre Division, Gwalior Rayons, Mavoor dt 24-7-1973.

Ext. M4 "The Economic Times" English daily dt. 12-11-1975.
,, M5 Shift Log Book of Paper Plant for the period from 14-6-1973 to 23-7-1973.
,, M6 Log Book of Water Treatment Plant from 5-7-1973 to 26-7-1973.
,, M7 Wet End Department Log Book from 28-6-1973 to 23-7-1973.
,, M8 Shift-in-charge Log Book Wet End Department from 5-7-1973 to 23-7-1973.
,, M9 Chipper House Operational Log Book from 1-7-1973 to 23-7-1973.
,, M10 Shift Report book of Soda Recovery Dept., for the month of July 1973.
,, M11 Digester report register for the month of July 1973.
,, M12 Wet End Plant Log sheet Register from the month of July 1973.
,, M13 Bleaching Log sheet Register for the month of July 1973.
,, M14 Wet End Production Log sheet Register for the month of July 1973.
,, M15 Wet end Log sheet Register for the month of July 1973.
,, M16 Evaporator No. 1 Log sheet Register for the month of July 1973.
,, M17 J. M. W. Boiler Log sheet register from 7-6-1973 to 23-7-1973.
,, M18 Raw Material Stock Register from 1-4-1973 to 30-4-1974.
,, M19 (a) 23-7-1973 True copy of notice issued to Shri C. Ali, C. No. 1529.
,, M19 (b) do. do. Shri A. K. Kandankutty, C.No. 1486.
,, M19 (c) do. do. Shri N. Hussain, C. No. 1527.
,, M19 (d) do. do. Shri O. Imbichammed, C. No. 1477.
,, M19 (e) do. do. Shri C. Narayanan, C. No. 1485.
,, M19 (f) do. do. Shri P. P. Mohammed, C. No. 1474.
,, M20 True copy of report of Shri D. K. Jain.
,, M21 do. Shri Kabra.
,, M22 do. Shri Gee Varghese dt. 14-7-1973.
,, M22 (a) Original of item No. 22 above dt. 14-7-1973.
,, M23 True copy of the report of Shri D. P. Gairola, dt. 14-7-1973.
,, M24 do. Shri Arunachalam, dt. 25-7-1973.
,, M24 (a) Original of item No. 24 above dated 25-7-1973.
,, M25 True copy of the Postal confirmation of telegram sent by the Labour Commissioner to the Management and to all the unions dated 5-10-1973.
,, M26 True copy of the letter No. E. 3162/1973 sent by the Labour Commissioner to the management and all unions dated 20-10-1973

Ext. M 27. True copy of the letter No. 24734/72 sent by the Labour Commissoner to the management and all unions dated 23-11-1973.

Ext. M28	do.	No. 3162/73 do. dated 25-11-1973.
Ext. M29	True copy of the Postal Confirmation of telegram sent by the Labour Commissioner to the Management and to all the unions dated 25-11-1973.	
Ext. M30	Printed copy of the Memmorandum of settlement entered into between the management and the union in 1972 dated 1-6-1972.	
Ext. M31	do.	do. in 1968 dated 1-6-1972.
Ext. M32	True copy of the letter sent by the unions to the Personnel Officer dated 23-3-1973.	
Ext. M33	do.	by Personnel Officer to unions dated 30-3-1973.
Ext. M34	do.	Notice displayed by the works Manager dated 6-4-1973.
Ext. M35	do.	Letter sent by the unions to the Joint President dated 27-6-1973.
Ext. M36	do.	Letter sent by the Personnel Officer to the unions dated 3-7-1973.
Ext. M37	do.	Letter by the unions to the Personnel Officer dated 5-7-1973.
Ext. M38	True copy of the letter by	Personnel Officer to Unions dated 6-7-1973.
Ext. M39	do.	by the unions to the Personnel Officer dated 9-7-1973.
Ext. M40	True copy of letter	by Personnel Officer to all unions dated 10-7-1973.
Ext. M41	do.	by unions to the Joint President, dated 13-7-1973.
Ext. M42	do.	by Personnel Officer to all unions dated 13-7-1973.
Ext. M43	do.	by the Joint President to all unions with copy to D. L. O., Kozhikode dated 14-7-1973
Ext. M44	do.	by the unions to the Personnel Officer dated 15-7-1973.
Ext. M45	do.	telegram sent to Labour Commissioner, Trivandrum with copy to Ministers and other officials dated 16-7-1973.
Ext. M46	do.	from D. L. O. to the Company dated 17-7-1973.
Ext. M47	do.	from Deputy Labour Commissioner to Company dated 18-7-1973.
Ext. M48	do.	by the Factory Manager to Unions to 18-7-1973.

Ext. M 49	True copy	of letter by unions to the factory Manager dated 19-7-1973.
Ext. M 50	do.	by Factory Manager to all Unions dated 19-7-1973.
Ext. M 51	do.	by Personnel officer to all unions dated 23-7-1973.
Ext. M 52	do.	of the notice issued by the Factory Manager to workmen to 23-7-1973.
Ext. M 53	do.	by Shri P. K. Appu, Superintendent, Chipper, to the Factory Manager dated 23-7-1973.
Ext. M 54	do.	by Shri P. K. Appu to the Personnel Dept. dated 23-7-1973.
Ext. M 55	do.	of the notice issued by the Factory Manager to the workmen to 23-7-1973.
Ext. M 56	do.	of show cause notice issued by the Factory Manager to C. Ali and 5 others dated 23-7-1973.
Ext. M 57	do.	of notice displayed by Factory Manager dated 23-7-1973.
Ext. M 58	do.	sent by Factory Manager to the District Collector, Kozhikode, dated 23-7-1973.
Ext. M 59	do.	of the notice under Section 25 E (iii) of the Industrial Disputes Act, dated 23-7-1973.
Ext. M 60	do.	of the letter sent by the A. S. O. to the Factory Manager dated 24-7-1973.
Ext. M 60 (a)		Original of item No. 60 above dated 24-7-1973.
Ext. M 61		True copy of Lock out notice issued by the Factory Manager dated 24-7-1973.
Ext. M 61 (a)		Original of item No. 61 above dated 24-7-1973
Ext. M 62		True copy of letter by Factory Manager to Labour Commissioner dated 24-7-1973.
Ext. M 63	do.	by Factory manager to Superintendent of Police dated 24-7-1973.
Ext. M 64	do.	of letter by Factory Manager to Superintendent of Police dated 24-7-1973.
Ext. M 65	do.	sent by Personnel Officer to unions dated 24-7-1973.
Ext. M 66	do.	by Personnel Officer to all unions dated 24-7-1973.

Ext. M 67	True copy	of notice issued by the Factory Manager dated 24-7-1973.
Ext. M 68	Copy of letter by	Unions to Personnel Officer dated 25-9-1973.
Ext. M 69	do.	by Personnel Officer to all unions dated 26-7-1973.
Ext. M 70	do.	by personnel Officer to all Unions dated 26-7-1973.
Ext. M 71	do.	by all unions to personnel officer dated 27-7-1973.
Ext. M 72	do.	of the Unions to the Personnel Officer dated 28-7-1973.
Ext. M 73	do.	Weigh Bridge Register.
Ext. M 74	Paper cutting of	"Mathrubhoomi" daily, dated 24-7-1973.
Ext. M 75	do.	Malayala Manorama dated 24-7-1973.
Ext. M 76	do.	Chandrika dated 24-7-1973.
Ext. M 77	do.	Deshabhimani dated 24-7-1973.
Ext. M 78	do.	Desabhimani dated 25-7-1973.
Ext. M 79	do.	Mathrubhoomi dated 25-7-1973.
Ext. M 80	do.	Malayala Manorama dated 25-7-1973.
Ext. M 81	True copy of original petition No. 833 of 1977 filed by the Management before the hon'ble High Court of Kerala at Ernakulam dated 24-2-1977.	
Ext. M 82	Certified standing orders of the company.	
Ext. M 83	Certified copy of Judgement in Write Appeal No. 13/81 before the High court of Kerala.	
Ext. M 84	22-6-1981 copy of the Writ petition O.P. No. 2989/81 filed by the Company.	

GOVERNMENT OF KERALA

Law (Legislation–Publication) Department

NOTIFICATION

No. 6816/Leg. Pbn. 2/82/Law. *Dated, Trivandrum, 15th May* 1982.

The following Act of Parliament, published in a Gazette of India Extraordinary, Part II—Section 1, dated the 20th March, 1982, is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on the 19th March, 1982.

By order of the Governor,
K. VISWANATHAN NAIR,
Special Secretary to Government (Law).

THE SUGAR CESS ACT 1982

(No. 3 of 1982)

An

Act

to provide for the imposition of a cess on sugar for the development of sugar industry and for matters connected therewith.

BE it enacted by Parliament in the Thirty-third Year of the Republic of India as follows:—

1. *Short title extent and commencement.*—(1) This Act may be called the Sugar Cess Act, 1982.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Definitions*:—In this Act, unless the context otherwise requires,—

(*a*) "occupier", in relation to any sugar factory, means the person who has ultimate control over the affairs of the sugar factory, or the owner of the sugar factory in case he is not the occupier;

(*b*) "prescribed" means prescribed by rules made under this Act;

(c) "sugar factory" means any premises (including the precincts thereof) in any part of which sugar is manufactured by vacuum pan process;

(d) "sugar" means any form of sugar including crushed sugar or sugar in crystalised or powder form, containing ninety per cent or more of sucrose and produced by the vacuum pan process and includes raw sugar produced by the said process.

3. *Imposition of cess*:—(1) There shall be levied and collected as a cess, for the purposes of the Sugar Development Fund Act, 1982, a duty of excise on all sugar produced by any sugar factory in India, at such rate not exceeding ten rupees per quintal of sugar, as the Central Government may, by notification in the Official Gazette, specify from time to time:

Provided that until such rate is specified by the Central Government, the duty of excise shall be levied and collected at the rate of five rupees per quintal of sugar.

(2) The duty of excise levied under sub-section (1) shall be in addition to the duty of excise leviable on sugar under the Central Excises and Salt Act, 1944, (1 of 1944) or any other law for the time being in force.

(3) The duty of excise levied under sub-section (1) shall be payable by the occupier of the sugar factory in which sugar is produced.

(4) The provisions of the Central Excises and Salt Act, 1944 (1 of 1944) and the rules made thereunder, including those relating to refunds and exemptions from duty, shall, so for as may be, apply in relation to the levy and collection of the said duty of excise as they apply in relation to the levy and collection of the duty of excise on sugar under that Act.

4. *Crediting proceeds of duty to Consolidated Fund of India*: — The proceeds of the duty of excise levied under section 3 shall be credited to the Consolidated Fund of India.

5. *Power to call for reports and returns*:—The Central Government may require an occupier of a sugar factory to furnish, for the purposes of this Act, such statistical and other information in such form and within such period as may be prescribed.

6. *Power to make rules*:—(1) The Central Government may by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for the form in which and the period within which statistical and other information may be furnished under section 5.

(3) Every rule made under this section shall be laid, as soon as may be, after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

GOVERNMENT OF KERALA

Transport-Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 1985/TC2/82/TF&P. *Dated, Trivandrum, 7th June* 1982.

S. R. O. No.1051/82.—Whereas representation has been received by Government from the Stage Carriage Operator specified in the annexure to this notification, that the vehicle tax for the quarters ended on the 30th September, 1981 and 31st December, 1981 in respect of the Stage Carriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of Vehicle tax in respect of these Vehicles may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said Stage Carriages could not remit the Vehicle tax in respect of the said Stage Carriages ordinarily kept for use in the State for the quarters ended on the 30th September, 1981 and 31st December, 1981 due to financial strain;

And whereas, the Government are convinced that non-operation of the said Stage Carriages due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the Vehicle tax for the quarters ended on the 30th September, 1981 and 31st December, 1981 in respect of the said stage carriages;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the Vehicle tax for the quarters ended on the 30th September, 1981 and 31st December, 1981 in repect of the said Stage Carriages ordinarily kept for use in the State shall be paid within three weeks from 30th January, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published ar S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated 29th September, 1975.

G. 986

ANNEXURE

Sl. No.	*Name of Stage Carriage Operator*	*Registration No. of the Stage Carriage*
(1)	(2)	(3)
1.	Sri. K.K. Antony, K.K. Sons, Trichur	KLH. 53
2.	Sri M.V. George, Malainkundiyil House, Mankutty Padam, Pady P.O., Trichur	KLH. 4588
3.	Sri. M.S. Venugopal, Manamel House, Konathukunnu, Trichur	KRE. 5383
4.	Sri. K. Sudhakaran, Kizhakkoot Home, Panangad, Trichur	KRF. 1688

By order of the Governor,
P. SANKARAN NAIR,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification but is intended to indicate the main purpose of the issue of the notification) ;

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of Vehicle tax for the quarters ended 30th September, 1981 and 31st December, 1981 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these Vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries And Ports (Transport C) Department

NOTIFICATION

No. 4696/TC2/82/TF&P. *Dated, Trivandrum, 21st June* 1982.

S.R.O. No. 1052/82.—Whereas representation has been received by Government from the Stage Carriage Operators specified in the annexure to this notification, that the vehicle tax for the quarter ended on the 30th September, 1981 and 31st December, 1981 in respect of the Stage Carriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of Vehicle tax in respect of these vehicles may, therefore, be granted ;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarter ended on the 30th September, 1981 and 31st December, 1981 due to financial strain ;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public ;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th September, 1981 and 31st December, 1981 in respect of the said stage carriages ;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th September, 1981 and 31st December, 1981 in respect of the said stage carriages ordinarily kept for use in the State shall be paid on or before the 30th March, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated 29th September, 1975.

G. 967.

ANNEXURE

Sl. No.	Name of Stage Carriage Operator	Registration No. of the Stage Carriage
(1)	(2)	(3)
1	Shri M.V. George, Malikudiyil House, Mankuttipadam, Pady P. O. Trichur.	KLH. 4588
2	Shri V.M. Thomas, C/o N. B. Pillai, Kouse No. 16/451, Karuvelipadi, Cochin-5.	KRE. 8036

By Order of the Governor,
P. SANKARAN NAIR,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification)

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of vehicle tax for the quarter ended 30th September, 1981 and 31st December, 1981 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 4700/TC2/82/TF&P. *Dated, Trivandrum, 21st June* 1982.

S. R. O. No. 1053/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri C. Revi, Girija Motor Service, Cholapurath Building, Kozhikode that the vehicle tax for the quarters ended on the 31st December, 1979 and 31st March, 1980 in respect of the stage carriage bearing Registration No. KLZ. 331 could not be remitted within the prescribed period due to financial strain and that permission may be granted to remit the arrears of vehicle tax in respect of the said vehicle in monthly instalments;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarters ended on the 31st December, 1979 and 31st March, 1980 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would cause great inconvenience to the travelling public;

And whereas, the Government consider it necessary in public interest to permit the stage carriage operator to remit the arrears of vehicle tax for the quarters ended on the 31st December, 1979 and 31st March, 1980 in respect of the said stage carriage in five equal monthly instalments;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the arrears of vehicle tax for the quarters ended on the said stage carriage ordinarily kept for use in the State shall be paid in five equal monthly instalments, beginning from 15th March, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

P. Sankaran Nair,

Additional Secretary to Government.

G. 1017 [P.T.O.]

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment arrears of vehicle tax in respect of vehicle bearing Registration Number KLZ. 331 for the quarters ended 31st December, 1979 and 31st March, 1980 on instalment basis due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as notified as otherwise the vehicle might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries And Ports (Transport C) Department

NOTIFICATION

No. 3647/TC2/82/TF&P. *Dated Trivandrum, 21st June,* 1982.

S.R.O.No. 1054/82:—Whereas representation has been received by Government from the Stage Carriage Operator Shri A. K. Paramu, Ganganivas, Kodavanthra, Cochin-20 that the vehicle tax for the quarters ended on the 31st March, 1982 in respect of the Stage Carriage bearing Registration Number KLF. 8780 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of Vehicle tax in respect of this vehicle may, therefore, be granted ;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 31st March, 1982 due to financial strain ;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public ;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 31st March, 1982 in respect of the said stage carriage ;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 31st March, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 12th March, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW dated the 29th September, 1975 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

P. SANKARAN NAIR,

Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification)

Government have received representation from the Stage Garriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 31st March, 1982 due to financial strain ;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

———

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-G) Department

NOTIFICATION

No. 5660/TC2/82/TF&P. *Dated, Trivandrum, 26th June,* 1982.

S. R. O. No. 1055/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri P. K. Raveendran, Karmmalakuzhi Puthen Veedu, Kottarakara that the vehicle tax for the quarters ended on the 31st March, 1982 in respect of the Stage Carriage bearing Registration Number KLQ 8087 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of Vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarters ended on the 31st March 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarters ended on the 31st March, 1982 in respect of the said stage carriage;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarters ended on the 31st March, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid within three weeks from 11th March, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

P. Sankaran Nair,
Additional Secretary to Government.

[P.T.O.]

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarters ended 31st March, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 1590/TC2/82/TF & P. *Dated, Trivandrum, 24th June* 1982.

S. R. O. No. 1056/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri G. V Mathew, Shajee Motors, Chittappanattu House, Peruvanthanam P.O., Idukki that the vehicle tax for the quarter ended on the 30th September, 1981 and 31st December, 1981 in respect of the stage carriage bearing registration number KLI. 973 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarters ended on the 30th September 1981 and 31st December, 1981 due to financial strain;

And whereas, the Government are convinced that non operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th September, 1981 and 31st December, 1981 in respect of the said stage carriage;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th September, 1981 and 31st December, 1981 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 20th March, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
P. SANKARAN NAIR,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended on 30th September 1981 and 31st December, 1981 due to financial strain.

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 7061/TC2/82/TF&P. *Dated, Trivandrum, 24th June* 1982.

S. R. O. No. 1057/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri Sajeeth M. Eachamveetil Motors, Quilon that the vehicle tax for the quarters, ended on the 31st March, 1982, in respect of the Stage Carriage bearing Registration Number KLQ. 4522 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of Vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarters ended on the 31st March, 1982, due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarters ended on the 31st March, 1982 in respect of the said stage carriage;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act. 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarters ended on the 31st March, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 25th April, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
P. Sankaran Nair,
Additional Secretary to Government.

G. 1045 [P.T.O.]

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarters ended 31st March, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Revenue (Legislation) Department

NOTIFICATION

G.O. (Ms) 847/82/RD. *Dated, Trivandrum, 6th August* 1982.

S.R.O. No. 1058/82.—In exercise of the powers conferred by section 15 of the Kerala Service Inam Lands (Vesting and Enfranchisement) Act, 1981 (17 of 1981), the Government of Kerala hereby appoint the Special Tahsildars mentioned below to be settlement Officers for the purpose of exercising the powers and performing the functions of a Settlement Officer under the said Act within the area noted against each, namely:—

1. The Special Tahsildar, Trivandrum	Revenue Districts of Trivandrum & Quilon
2. The Special Tahisldar, Kottayam	Revenue Districts of Kottayam, Alleppey, Ernakulam, Trichur & Malappuram.

By order of the Governor,

K. NARAYANAN,

Deputy Secretary to Government

Explanatory Note

(This is not a part of the notification but is intended to indicate its general purport.)

In G.O. Rt. 382/82/RD dated 3-4-1982 the posts of two Special Tahsildars with necessary supporting staff have been created to be appointed as Settlement Officer under the Kerala Service Inam Lands (Vesting and Enfranchisement) Act, 1981. The notification seeks to confer the powers of Settlement Officers under the Act on these Special Tahsildars.

GOVERNMENT OF KERALA

Revenue (Legislation) Department

NOTIFICATION

G.O.Ms. No. 848/82/Rev. *Dated, Trivandrum, 6th August* 1982.

S.R.O. No. 1059/82.—In exercise of the powers conferred by section 21 of the Kerala Service Inam Lands (Vesting and Enfranchisement) Act, 1981 (17 of 1981), the Government of Kerala hereby make the following rules to amend the Kerala Service Inam Lands (Vesting and Enfranchisement) Rules, 1981, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Service Inam Lands (Vesting and Enfranchisement) Amendment Rules, 1982.

(2) They shall come into force at once.

2. *Amendment of rule* 3.—In the Kerala Service Inam Lands (Vesting and Enfranchisement) Rules, 1981, in rule 3, for the words "six months" the words "one year and three months" shall be substituted.

By order of the Governor,
K. NARAYANAN,
Deputy Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

Under rule 3 of the Kerala Service Inam (Vesting and Enfranchisement) Rules, 1981, the time allowed for filing application in form No. 1 before the Settlement Officer is six months from the date of commencement of the rule. The rule came into force on 20-10-1981. But the settlement office started functioning only in April 1982. The period of six months expired on 20-4-1982. The time limit for filing applications by the parties has to be extended by suitably amending the rules. The notification is intended to achieve the above purpose.

GOVERNMENT OF KERALA

Revenue (LEG.) Department

NOTIFICATION

No. M. S. 873/82/RD. *Dated, Trivandrum, 16th August* 1982.

S. R. O. No. 1060/82.—In exercise of the powers conferred by section 99A of the Kerala Land Reforms Act, 1963 (1 of 1964), the Government of Kerala hereby make the following amendment to their notification No. 9589/N2/70/LRD dated the 11th May, 1970, published as S. R. O. No. 193/70 in part I of the Kerala Gazette No. 20 dated the 19th May, 1970, as subsequently amended, namely:—

AMENDMENT

In the Schedule to the said notification, for the entry in column (3) against serial number 3, the following shall be substituted, namely:—

"Shri P. R. Soman, Deputy Collector".

This notification shall be deemed to have come into force with effect from the 14th June, 1982.

By order of the Governor,

K. NARAYANAN,

Deputy Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

In G. O. Rt. 637/82/RD dated 17-5-1982, Shri P. R. Soman, Revenue Divisional Officer, Kottayam has been transferred and posted as Appellate Authority (Land Reforms), Trichur and he assumed charge on the 14th day of June, 1982. The notification is intended to give statutory effect to the above orders.

GOVERNMENT OF KERALA

Local Administration and Social Welfare (G) Department

NOTIFICATION

G. O. (Ms.) No. 135/82/LA&SWD. *Dated, Trivandrum, 13th August* 1982.

S. R. O. No. 1061/82.—Under rule 8 of the Greater Cochin Development Authority Rules, 1977, Government of Kerala hereby notify that Shri G. Jeothi, Additional Secretary, Finance Department and Shri George Kidangan, 37/91-2, Market Road, Ernakulam have been nominated as members of the Greater Cochin Development Authority, constituted as per Notification issued in G. O. (Ms.) No. 19/76/LA & SWD dated 23rd January, 1976 and published as S. R. O. No. 124/76 in the Kerala Gazette extraordinary dated the 23rd January, 1976 subsequently amended by G. O. (Ms.) No. 185/81/LA & SWD dated 20th October, 1981 and published as S. R. O. No. 1206/81, in the Kerala Gazette extraordinary dated 20th October, 1981.

By order of the Governor,
M. S. K. RAMASWAMY,
Special Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

Under Rule 8 of Greater Cochin Development Authority Rules, 1977, the appointment, election or nomination as the case may be of the Chairman and members of the Authority shall be notified in the Gazette.

This is intended to notify the nomination of two members, one under 53B(1) (C) and another under 53(B) 2 of the Town Planning Act, to the Board of the Greater Cochin Development Authority.

Kerala Gazette No. 36 dated 14th September 1982.
PART I **Section iv**

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 10179/TC2/82/TF & P. *Dated, Trivandrum, 16th July* 1982.

S. R. O. No. 1062/82.—Whereas representations have been received by Government from the Stage Carriage Operators specified in the annexure to this notification, that the vehicle tax for the quarters ended on the 31st March, 1982 and 30th June, 1982 in respect of the Stage Carriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of these vehicles may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarter ended on the 31st March, 1982 and 30th June, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 31st March, 1982 and 30th June 1982 in respect of the said stage carriages;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 31st March, 1982 and 30th June, 1982 in respect of the said stage carriages ordinarily kept for use in the State shall be paid on or before the 31st May, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated 29th September, 1975.

G. 1156

ANNEXURE

Sl. No.	Name of Stage Carriage Operator	Registration No. of the Stage Carriage
1.	Shri J. Antony, Managing Partner, Rajadhani Enterprises, Cochin	KEE 4150, KLF 5785, KRE 2194
2.	Shri A. Rahuma Beevi, Puthenkoottil House, Meenathcherry, Quilon	KLQ 6671
3.	Shri Boben Paul, Panamperil House, Quilon	KLF 1161
4.	Shri Puratharan, Suvega Transports, Ernakulam, Cochin-18	KRE 2194
5.	Smt. K. Sarojini, Omana Motors, Kakkanadu P. O., Cochin	KLF 37
6.	Smt. Annie Olivero, House No. 5/5458, Near Pachalam Gate, Ernakulam, Cochin	KEE 4150
7.	Shri Issack Varkey, Puthuval House, Onakur, Ernakulam	KEE 2433

By order of the Governor,
P. SANKARAN NAIR,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of vehicle tax for the quarter ended 31st March, 1982 and 30th June, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 9878/TC2/82/TF&P. *Dated, Trivandrum, 27th July* 1982.

S. R. O. No. 1063/82.—Whereas representation has been received by Government from the Stage Carriage Operator specified in the annexure to this notification, that the vehicle tax for the quarter ended on the 31st March, 1982, and 30th June, 1982 in respect of the Stage Carriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of these vehicles may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarter ended on the 31st March, 1982 and 30th June, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 31st March, 1982, and 30th June, 1982 in respect of the said stage carriages;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 31st March, 1982 and 30th June, 1982 in respect of the said stage carriages ordinarily kept for use in the State shall be paid on or before the 30th May, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated 29th September, 1975.

ANNEXURE

Sl. No.	Name of Stage Carriage Operators	Registration No. of the Stage Carriage
1.	Shri A. J. Norbert, Assari Parambil House, Karipalam, Cochin	KLH. 3048, KLE. 491
2.	Smt. Annie Olivero, Sunny Transport, Pachalam, Ernakulam	KLF. 523, KRF. 9430
3.	Shri T. A. Xavier, Thattassery House, Palluruthy, Ernakulam	KRE. 5736, KRF. 1129
4.	Shri S. Gopinatha Menon, Srivilasathu House, Kumpalangi, Ernakulam	KLF. 9529, KLE. 2910
5.	Kumari Jalaja & Co., Lakshmi Vilasom, Chullickal, Ernakulam	KRE. 4984, KLE. 8510
6.	Smt. Lassy Coriya, Manapuram House, Varapuzha, Ernakulam	KRE. 365, KRF. 745
7.	Shri K. A. Balakrishnan, Kajaputhil House, Perumbavoor, Ernakulam	KRE. 6190, KRE. 1008
8.	Smt. Luci Koria, Pachalan, Ernakulam.	KLF. 5785

By order of the Governor,
P. SANKARAN NAIR,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of vehicle tax for the quarter ended 31st March, 1982 and 30th June, 1982 due to financial strain.

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-C) Department

NOTIFICATION

No. 15693/TC2/82/TF & P. *Dated, Trivandrum, 3rd August* 1982.

S. R. O. No. 1064/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri Sasidharan, Kandhyattukunnam Muriyil, Mannalin, Parur that the vehicle tax for the quarter ended on the 31st March, 1981 in respect of the Stage Carriage bearing Registration Number KLF. 1283 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 31st March, 1981 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 31st March, 1982, in respect of the said stage carriage;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 31st March, 1981 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 30th April, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW., dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
P. SANKARAN NAIR,
Additional Secretary to Government.

[P.T.O.]

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 31st March, 1981 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise this vehicle might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries & Ports (Transport-B) Department

NOTIFICATION

G. O. Rt. No. 703/82/TF & P. *Dated, Trivandrum, 20th August* 1982.

S. R. O. No. 1065/82.—Whereas M/s. P. S. N. Motors (Private Limited), Trichur has constructed a stage carriage body on a new Leyland Chassis purchased by them, the details of which are hereunder given for the purpose of plying it as a stage carriage on the route Kottappuram—Palghat (via) Trichur, Vadakkancherry, Alathur and Koyalmmannam;

And whereas, the overall length and overhang of the vehicle exceed the limits prescribed under sub-rule (2) of rule 267 and rule 294 respectively of the Kerala Motor Vehicles Rules, 1961.

And whereas, the Government of Kerala are satisfied that the said vehicle can conveniently be used as a stage carriage to the comfort and convenience of the passengers, with such excess measurements in overall length and overhang;

Now, therefore, in exercise of the powers conferred by rule 368 of the Kerala Motor Vehicles Rules, 1961, the Government of Kerala hereby exempt the said vehicle from the provisions of sub-rule (2) of rule 267 and rule 294 of the said Rules.

DETAILS OF THE VEHICLE

Model	...	Ashok Leyland
Engine No.	...	EE. 919
Chassis No.	...	ALEE 145976
Overall length	..	980 centimetres
Over hang	..	329 centimetres (61.8%)
Wheel base	...	533.4 centimetres

By order of the Governor,

R. C. CHOUDHURY,

Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate its main purport).

M/s. P. S. N. Motors (Private Limited) Trichur, has requested Government to exempt the vehicle mentioned in the above notification from the provisions of sub-rule (2) of rule 267 and rule 294 of the Kerala Motor Vehicles Rules, 1961, since the overall length and overhang of the vehicle exceed the limits prescribed under these rules. Government have considered the request in consultation with Transport Commissioner and decided to grant the exemption sought for. Hence the notification.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-B) Department

NOTIFICATION

G. O. Rt. No. 702/82/TF & P. *Dated, Trivandrum, 20th August* 1982.

S. R. O. No. 1066/82.—Whereas, Sri. T. K. Mohammed Ali, 'Aram' Kunnathurmedu, Palghat has purchased a vehicle bearing Registration No. TMN. 8351, the details of which are hereunder given for the purpose of plying it as a contract carriage;

And whereas, the overall length, overall width and overhang of the said vehicle exceed the permissible limits prescribed under sub-rule (2) of rule 267, sub-rule (1) of rule 265 and rule 294 respectively of the Kerala Motor Vehicles Rules, 1961;

And whereas, the Government of Kerala are satisfied that the said vehicle can conveniently be used as a contract carriage with such excess measurements in overall length and overhand;

Now, therefore, in exercise of the powers conferred by rule 368 of the Kerala Motor Vehicles Rules, 1961, the Government of Kerala hereby exempt the said vehicle from the provisions of sub-rule (2) of rule 267, sub rule (1) of rule 265 and rule 294 of the said rules.

DETAILS OF THE VEHICLE

Model of the vehicle	..	Ashok Leyland (Viking)
Class of vehicle	..	Contract Carriage
Engine No.	..	ALI 89241
Chassis No.	..	ALB 108626
Overall width	..	250 centimetres
Overall length	..	1035 centimetres
Overhang	..	325 centimetres (60%)
Wheel base	..	533.4 centimetres
Seating capacity	..	48 in all (46 + 2)

By order of the Governor,
R. C. CHOUDHURY,
Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate its main purport).

Shri. T.K. Mohamed Ali, 'Aram', Kunnathurmedu, Palghat has requested Government to exempt the vehicle mentioned in the above notification from the provisions of sub-rule (2) of rule 267, sub-rule (1) of rule 265 and rule 294 of the Kerala Motor Vehicles Rules, 1961 as the overall length, overall width and overhang of the vehicle exceed the prescribed limits. Government have decided to grant the exemption sought for. Hence this notification.

Kerala Gazette No. 36 dated 14th September 1982.
PART I

Section iv

GOVERNMENT OF KERALA

Abstract

KERALA BUILDINGS (LEASE AND RENT CONTROL) ACT, 1965—ENFORCEMENT IN THIRURANGADI PANCHAYAT—ORDERS ISSUED

PUBLIC WORKS (E) DEPARTMENT

G. O. (MS)115/82/PW. *Dated, Trivandrum, 13th August* 1982.

NOTIFICATIONS

(i)

S.R.O. No. 1067/82.—Whereas the Thirurangadi Panchayat has in its resolution No. 410 dated the 24th March, 1980, requested that the provisions of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), shall be applied to that Panchayat area;

Now, therefore, in exercise of the powers conferred by subsection (3) of section 1 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby apply all the provisions of the said Act to the Thirurangadi Panchayat area in the Malappuram District with effect from the date of publication of this notification in the Gazette.

(ii)

S. R. O. No. 1068/82.—In exercise of the powers conferred by subsection (1) of section 3 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby appoint the Munsiff, having jurisdiction over the Thirurangadi Panchayat area in the Malappuram District, to be the Rent Control Court for the said area, with effect from the date of publication of this notification in the Gazette.

(iii)

S.R.O. No. 1069/82.—In exercise of the powers conferred by subsection (2) of section 3 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby appoint the Tahsildar, having jurisdiction over the Thirurangadi Panchayat area in the Malappuram District, to be the Accommodation Controller, for the said area, with effect from the date of publication of this notification in the Gazette

(iv)

S.R.O.No. 1070/82.—In exercise of the powers conferred by clause (a) of subsection (1) of section 18 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby confer on the Subordinate Judge or the Principal Subordinate Judge, as the case may be, having jurisdiction over the Thirurangadi Panchayat area in the Malappuram District, the powers of the Appellate Authority for the purposes of the said Act in the said area with effect from the date of publication of this notification in the Gazette.

By order of the Governor,

G. Gopalakrishna Pillai,

Special Secretary to Government.

Explanatory Note

(This does not form part of the above Notifications, but is intended to indicate their general purport.)

The Thirurangadi Panchayat in the Malappuram District has in its resolution No. 410 dated the 24th March, 1980, requested Government to extend the provisions of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965) to its area. Under section 1(3) of the said Act, Government can extend the provisions of the Act to any area of the State by a notification in the Gazette, provided that such notification shall be supported by a resolution passed by the local authority of the area affected by the notification. The above notifications are to achieve the above purpose and issued on the request of the Panchayat concerned.

GOVERNMENT OF KERALA

[Abstract

KERALA BUILDINGS (LEASE AND RENT CONTROL) ACT, 1965—ENFORCEMENT IN ERAVIPURAM PANCHAYAT—ORDERS ISSUED.

PUBLIC WORKS (E) DEPARTMENT

G. O. (Ms.) 114/82/PW. *Dated, Trivandram, 13th August* 1982.

NOTIFICATIONS

(i)

S. R.O. No.1071/82.— Whereas the Eravipuram Panchayat has in its resolution No. 17, dated the 18th March, 1980, requested that the provisions of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), shall be applied to that Panchayat area;

Now, therefore, in exercise of the powers conferred by subsection (3) of section 1 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby apply all the provisions of the said Act to the Eravipuram Panchayat area in the Quilon District with effect from the date of publication of this notification in the Gazette.

(ii)

S. R. O. No. 1072/82.— In exercise of the powers conferred by sub-section (1) of section 3 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby appoint the Munsiff, having jurisdiction over the Eravipuram Panchayat area in the Quilon District, to be the Rent Control Court for the said area with effect from the date of publication of this notification in the Gazette.

(iii)

S. R. O. No. 1073 82. In exercise of the powers conferred by sub-section (2) of section 3 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby appoint the Tahsildar, having jurisdiction over the Eravipuram Panchayat area in the Quilon District, to be the Accommodation Controller for the said area, with effect from the date of publication of this notification in the Gazette.

(iv)

S. R. O.No. 1074/82.— In exercise of the powers conferred by clause (a) of subsection (1) of section 18 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby confer on the Subordinate Judge or the Principal Subordinate Judge, as the case may be, having jurisdiction over the Eravipuram Panchayat area in the Quilon District, the powers of the Appellate Authority for the purposes of the said Act in the said area with effect from the date of publication of this notification in the Gazette.

By order of the Governor,
G. GOPALAKRISHNA PILLAI,
Special Secretary to Government.

Explanatory Note

(This does not form part of the above notifications, but is intended to indicate their general purport.)

The Eravipuram Panchayat in the Quilon District has in its resolution No. 17, dated 18th March 1980, requested Government to extend the provisions of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965) to its area. Under section 1 (3) of the said Act, Government can extend the provisions of the Act to any area of the State by a notification in the Gazette, provided that such notification shall be supported by a resolution passed by the local authority of the area affected by the notification. The above notifications are to achieve the above purpose and issued on the request of the Panchayat concerned.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C)Department

NOTIFICATION

No. 4634/TC2/82/TF&P. *Dated, Trivandrum, 29th May* 1982.

S. R. O. No. 1079/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri K. A. Balakrishnan, Kaniampurathu House, Perumballoor, Moovattupuzha, Ernakulam that the vehicle tax for the quarters ended on the 31st December, 1981 and 31st March, 1982 in respect of the Stage Carriage bearing Registration Number KRE. 1008 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarters ended on the 31st December, 1981 and 31st March, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarters ended on the 31st December, 1981 and 31st March, 1982 in respect of the said stage carriage;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarters ended on the 31st December, 1981 and 31st March, 1982 in respect of the said stage carriage ordinarily kept for use in the state shall be paid on or before the 28th February, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

P. Sankaran Nair,

Additional Secretary to Government.

[P. T. O.]

G. 864

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received certain representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarters ended 31st December, 1981 and 31st March, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 4635/TC2/82/TF & P. *Dated, Trivandrum, 21st June,* 1982.

S.R.O. No. 1080/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri V. O. Thomas, Vazhappilly Veedu, Palliport P.O., Ernakulam that the vehicle tax for the quarters ended on the 31st December, 1981 and 31st March, 1982, in respect of the Stage Carriage bearing Registration Number KLM. 506 could not be remitted with in the prescribed period due to financial strain and that extension of time for payment of Vehicle tax in respect of this Vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarters ended on the 31st December, 1981 and 31st March, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarters ended on the 31st December, 1981 and 31st March, 1982 in respect of the said stage carriage;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarters ended on the 31st December, 1981 and 31st March 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid within two weeks from 22nd February, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

P. SANKARAN NAIR,

Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received certain representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarters ended 31st December, 1981 and 31st March, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Home (C) Department

NOTIFICATION

G.O.Rt. No. 2164/82/Home. *Dated, Trivandrum,* 23*rd August* 1982

S.R.O. No. 1081/82.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act 2 of 1974) Government of Kerala, hereby appoint the persons named below as Special Public Prosecutors for the conduct of Prosecution in Mark list cases before the Special Court constituted for the purpose.

1. Shri M. B. Kurup
2. Shri Ratna Singh
3. Shri K. Kunhurama Menon
4. Shri V. P. Madhavan Nambiar.

By order of the Governor,
K. ACHUTHAN NAIR,
Joint Secretary to Government

Explanatory Note

(This does not form part of the notification but is intended to give its general purport).

It is considered necessary to appoint experienced advocates as Special Public Prosecutors for the conduct of prosecution in Mark list cases. The notification is intended to achieve the above object.

GOVERNMENT OF KERALA

Home (E) Department

NOTIFICATION

G. O. (Rt.) No. 2289/82/Home. *Dated, Trivandrum, 7th September,* 1982.

S.R.O. No. 1082/82.—Under clause (s) of section 2 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) and in supersession of the notification publised under G. O. (Rt.) .507/Home dated the 21st March, 1964 and in Part I of the Kerala Gazette No. 13 dated the 31st March, 1964, relating to the location and area of jurisdiction of the Sholayar Police Station, the Government of Kerala hereby declare that the building No. 6/74 of Vettilapara Panchayat situated at Malakkipara in Mukundapuram Taluk, shall be a Police Station known as "Malakkippara Police Station" with jurisdiction over the ocal areas specified under column (4) of the Schedule below:

SCHEDULE

Name of Police Station	Taluk	Village	Local areas of jurisdiction Kara/Desom
(1)	(2)	(3)	(4)
Malakkippara	Mukundapuram	Pariyaram	1. Kannankuzhi 2. Vazhachal 3. Pokalapp ra 4. Pul yilappara 5. Porigal 6. Charpa 7. Vachumaram 8. A akkavam 9. Ambalappara 10. Chandanthode

(1)	(2)	(3)	(4)
			11. Kollathirumedu
			12. Malakkippara
			13. Unsurveyed portion of the forest area extending upto the Tamil Nadu State border, lying east of Kanamkuzhi bridge at 18th mile on Chalakudi-Anamalai road.

This notification shall come into force on and with effect from 21st September, 1982.

By order of the Governor,
P. V. RADHALAKSHMI,
Additional Secretary to Government.

Explanatory Note

(This is not a part of the notification but is intended to explain its general purport).

The present location of the Sholayar Police Station near the Sholayar Dam, renders it extremely difficult for the Police to perform their policing functions effectively. So it is decided to shift and relocate this Police Station at Malakkipara and to rename the same as Malakkipara Police Station.

This notification is intended to achieve the above objective.

GOVERNMENT OF KERALA

Home (E) Department

NOTIFICATION

G.O. RT. No. 2278/82/Home. *Dated, Trivandrum, 9th September* 1982.

S. R. O. No 1083/82.—Under clause (s) of section 2 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) and in modification of the Notification published under G. O. (Rt.) 1712/79/Home dated the 11th September, 1979, as S.R.O. No. 109'/79 in Part I of the Kerala Gazette No. 38 dated the 25th September, 1979, so far as it relates to the area of jurisdiction of Kalamassery Police Station, the Government of Kerala hereby,—

(i) declare that building No. 6/159 of Mavelipuram Colony, Thrikkakara South Village in Kunnathunadu Taluk shall be a Police Station known as "Thrikkakara Police Station" with jurisdiction over the local areas specified under column (4) of Schedule—A, below; and

(ii) redefine the local area of jurisdiction of the Kalamassery Police Station so as to include the local areas specified under column (4) of Schedule—B below.

SCHEDULE—A

Name of Police Station	*Taluk*	*Village*	*Local areas of jurisdiction/ Karas*
(1)	(2)	(3)	(4)
Thrikkakara	Kunnathunadu	Thrikkakara South	1. Kakkanad 2. Kundannoor 3. Thuthiyoor 4. Pallipuram 5. Thengode 6. Cherumuttupuzha

(1)	(2)	(3)	(4)
		Thrikkakara North	1. Thrikkakara 2. Vadcode
		Edappally South	1. Vannala 2. Cheruponnurunni 3. Chalikkavattom
		SCHEDULE—B	
Kalamassery	Kunnathunadu	Thrikkakara North	1. Njalakam 2. Pallilamkara 3. Vidakuzha 4. Peringazha 5. Puthupallippuram 6. Vattekunnam
		Edappally North	1. Vadkkumbhagom 2. Po ekkara 3. Killiyathu 4. Chuttupadukara
		Edappally South	1. El makkara 2. Mamangalam 3. Padivattom 4. Palarivattom 5. Kaloor
		Cheranalloor	1. Cheranalloor 2 Valam 3. Edayakunnam

This notification shall come into force on and with effect from 17th September 1982.

By order of the Governor,
P.V. RADHALAKSHMI,
Additional Secretary to Government.

Explanatory Note

(This is not a part of the notification but is intended to indicate its general purport.)

With the establishment or a Civil Station at Thrikkakara and the shifting of the Ernakulam District Collectorate to Thrikkakara it found necessary to open a Police Station at the place, bifurcating the jurisdiction of the existing Kalamasseri Police Station, area of jurisdiction of which is extensive with five villages.

GOVERNMENT OF KERALA

Labour (F) Department

NOTIFICATION

G. O. (Rt) 598/82/LBR. *Dated, Trivandrum, 31st May* 1982.

S R.O. No.1034/82.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948), read with section 91-A thereof, the Government of Kerala in consultation with the Employees' State Insurance Corporation, hereby exempt A.N.M.R. No. 100 photo Mark Beedi, V. H. Road, Palghat, from the operation of the provisions of the said Act for a period of one year from 30th May 1976, subject to the following conditions, namely:—

1. The establishment shall maintain a register showing the names and designations of its employees;

2. Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;

3. The contribution for the exempted period, if already paid, shall not be refunded;

4. The establishment shall submit in respect of the period during which it was subject to the operation of the said Act (hereinafter referred to as 'the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

5. Any Inspector appointed by the Corporation under subsection (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any return submitted under subsection (1) of section 44 of the said Act; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to the benefits provided by the employer in cash and kind being benefits in considerations of which exemption is being granted under this notifications or

(iv) ascertaining whether any of the provisions of the said Act had been complied with during the period when such provisions were in force in relation to the said establishment be empowered to—

(a) require the establishment to furnish to him such information as he may consider necessary; or

(b) enter any factory, establishment office or other premises occupied by the said establishment at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such documents, books and other documents, relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or

(c) examine the officers of the establishment or the servants of the said establishment or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or

(d) make copies of or take extracts from any register, account book or other documents maintained in such establishment, office or other premises of the said establishment.

By order of the Governor,

V. KRISHNAMURTHY,

Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Shri N. Shahul Hameed, Proprietor A.N.M.R. No. 100 Photo Mark Beedies, V. H. Road, Palghat has requested exemption from the provisions of Employees' State Insurance Act. Government after consulting E. S. I. Corporation and after placing before the Regional Board of E.S.I. Corporation decided to grant exemption for a period of one year from 30-5-1976. This Notification is intended to achieve this purpose.

GOVERNMENT OF KERALA

Higher Education (G) Department

NOTIFICATION

G. O. (Ms) No. 107/82/H. Edn. *Dated, Trivandrum, 16th August* 1982.

S. R. O. No. 1085/82.—In exercise of the powers conferred by sub-section (1) of section 2 of the Kerala Public Service Act, 1968 (19 of 1968), the Government of Kerala hereby make the following amendment to the orders issued in G. O. (Ms) No. 61/72 Education dated the 15th March 1972 and published as S. R. O. No. 134/72 in the Kerala Gazette dated 21st March, 1972.

AMENDMENT

In the said orders, after para (1), the following para shall be inserted, namely:—

(1A) A Degree in Engineering issued by any of the Universities in Kerala to those who have passed the Diploma in Engineering or Technology or any other qualification recognised by the Government as equivalent thereto will be recognised as an alternative qualification in lieu of Diploma in Engineering or Technology with 60% marks in the final examination. The promotions if any, of juniors by virtue of their acquiring the Degree in Engineering over the seniors without that qualification, should be without prejudice to the claims of the seniors passed over, and that if the seniors who are so passed over acquire the Engineering Degree within a period of 5 years from 15-3-1972 their original seniority will be restored in the promotion post also".

This amendment shall be deemed to have come in to force on and with effect from the 15th day of March, 1972.

By order of the Governor,

K. SRINIVASAN,
Special Secretary to Government

Explanatory Note

In G. O. (Ms) No. 61/72/Edn. dated 15th March 1972 published in the Kerala Gazette No 12 dated 21-3-1972 Government have ordered certain benefits to those who have obtained Diploma in Technical Teachers' Training. Accordingly the Diploma issued by the Technical Teachers' Training Institute to those who have passed the Diploma in Engineering or

Technology would be recognised as an alternative qualification in lieu of Diploma in Engineering or Technology with 60% marks in the final Examination and that promotion, if any, of juniors, by virtue of their acquiring the Technical Teachers' Training Institute Diploma over the seniors without that qualification, should be without prejudice to the claims of the seniors passed over and that if the seniors who are so passed over acquire the Technical Teachers' Training Institute Diploma within a period of 5 years from the date of the said order, their original seniority would be restored in the promotion post also. Now the benefit of restoration of seniority is granted only to those who qualify themselves for promotion by Diploma in Technical Teachers' Training. Many of the Diploma holders in Engineering who are working in various teaching posts in Polytechnics, Junior Technical Schools have acquired Degree in Engineering after undergoing the Part-time Degree Course conducted in Engineering Colleges. But the present Rules Regarding qualifications etc., for promotion to higher posts do not provide chances to such Degree holders to get promotion by virtue of their acquiring the Degree. In as much as a degree in Engineering is admitted as superior qualification to Diploma in Technical Teachers' Training Institute it is only just and proper to extend the benefit of restoration of seniority to those who acquire Degree in Engineering Technology. The notification is intended to achieve the above object.

GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

No. G. O. Rt: 913/82/LBR. *Dated, Trivandrum, 21st August* 1982

S.R.O. No. 1086/82.—Whereas the Government are satisfied that public interest so required that the opening time of Ashok Talkies, Badagara, should be fixed as 12 noon, for the purpose of conducting noon shows;

Now therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960), the Government of Kerala hereby order that for a period of one year from the date of this notification, the said theatre shall not be opened earlier than 9 a. m. on Sundays and public holidays which fall on other days of the week, and 12 noon on all other days, or closed on any day later than 2 a. m.

By order of the Governor,
V. KRISHNAMURTHY,
Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The provisions of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960) are applicable to the Cinema Theatres in this State. The Managing Partner Ashok Talkies, Badagara has requested Government to issue orders permitting them to open his theatre at 12 noon and close at 2 a. m. Government consider that the request may be allowed for a period of one year. This notification is to achieve the above purpose.

GOVERNMENT OF KERALA

Transport, Fisheries And Ports (Transport C) Department

NOTIFICATION

No. 9871/TC2/82/TF&P *Dated, Trivandrum,* 21*st June* 1982.

S.R.O No.1087/82.—Whereas representation has been received by Government from the Stage Carriage Operators specified in the annexure to this notification, that the vehicle tax for the quarter ended on the 30th June, 1982, in respect of the Stage Carriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th June, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public;

And wheareas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th June, 1982, in respect of the said stage carriages;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th June, 1982, in respect of the said stage carriages ordinarily kept for use in the State shall be paid on or before the 30th May, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1982 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated 29th September, 1975.

G. 970

ANNEXURE

Sl. No.	Name of Stage Carriage Operator	Registration No. of the Stage Carriage
(1)	(2)	(3)
1.	Smt. R. Vijayalakshmi, Hindustan Transport, Kayamkulam.	KLA. 1668 KLY. 6021
2.	Shri G. E. Varghese, Vineeth Motor Services, Harippadu.	KLA. 1982 KLY. 2293 KLY. 2656

By order of the Governor,

P. SANKARAN NAIR,

Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the Notification).

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of vehicle tax for the quarters ended 30th June, 1982, due to financial strain;.

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great. inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-C) Department

NOTIFICATION

No. 8025/TC2/82/TF&P. *Dated, Trivandrum, 7th June* 1982.

S.R.O. No. 1088/82.—Whereas, representation has been received by Government from the Stage Carriage Operator specified in the annexure to this notification, that the vehicle tax for the quarter ended on the 31st March, 1982 in respect of the Stage Carriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of these vehicles may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarter ended on the 31st March, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 31st March, 1982 in respect of the said stage carriages;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 31st March, 1982 in respect of the said stage carriages ordinarily kept for use in the State shall be paid within three weeks from 1st February, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW dated the 29th September, 1975 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated 29th September, 1975.

G. 984

ANNEXURE

Sl. No.	Name of Stage Carriage Operators	Registration No. of the Stage Carriages
1	Shri George Xavier, Manjuran House, Alwave.	KRE 5299
2	Shri A. M. Sainulabdeen Musaliar, Shafi Manzil, Kilikolloor, Quilon.	KLQ 3637, KLQ 8507
3	Smt. E. Laila Beegum, Shafi Manzil, Kilikolloor, Quilon.	KLU 3139
4	Sri V. Lakshmana Bhat, Mani Transports, Koovappadam, Cochin.	KLE 8885
5	Sri P. K. Surendran, Jyothi Bhavan, Shertallai.	KRR 914
6	Sri P. A. Cheriyakutty, Pullan Veedu, Kuttichira P.O., Chalakudy.	KLE 6827
7	Sri T. K. Nirmalandan, Thanikkal Veedu, Manalcor P. O, Trichur.	KLZ 1291
8	Sri P. K. Paulson, Pazhayattin Thazhekkadan Veedu, Thumboor P. O.	KLU 194

By order of the Governor,
P. SANKARAN NAIR,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of vehicle tax for the quarter ended 31st March, 1982 due to financial strain;

Government are convinced of the position and in public interest grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

Government of Kerala
1982

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVII] Trivandrum, Tuesday, 14th September 1982 / 23rd Bhadra 1904 [No. 625

GOVERNMENT OF KERALA

Home (C) Department

NOTIFICATION

G. O. Rt. No. 2309|82|Home. *Dated, Trivandrum, 8th September* 1982.

S. R. O. No. 1090/82.—In exercise of the powers conferred by Sub-Section (2) of Section 64 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) and in supersession of the notification issued under G. O. Rt. 1677|82|Home dated the 2nd July, 1982 and published as S. R. O. No. 869|82 in the Kerala Gazette Extraordinary No. 508 dated the 7th July, 1982, the Government of Kerala hereby appoint Shri P. E. Cherian, II Additional District and Sessions Judge, Ernakulam as the State Transport Appellate Tribunal to hear and dispose of appeals under Sub-section (1) of the said section.

By order of the Governor,

K. Achuthan Nair,
Joint Secretary.

33|3350|MC.

Explanatory Note

(This does not form the part of the notification but is intended to give its general purport).

Smt. P. C. Lalitha Bai, State Transport Appellate Tribunal has been posted as I Additional District and Sessions Judge, Ernakulam. Consequently it is proposed to appoint Shri P. E. Cherian, II Additional District Judge as State Transport Appellate Tribunal Ernakulam. The notification is intended to achieve this object.

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TRIVANDRUM, 1982.

Government of Kerala
1982

Reg. No. KL/TV(N)/11



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVII] Trivandrum, Tuesday, 14th September 1982 / 23rd Bhadra 1904 (Saka) [No. 624

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport–B) Department

DECLARATION

No. 14764/TB2/82/TF & P. *Dated, Trivandrum,* 14*th September* 1982.

S.R.O. No. 1089/82.—Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution of India the President has in Notification No. 2/4/63 Judicial II dated 31-5-1963 entrusted the Government of Kerala, with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (21 of 1962) in relation to the acquisition of lands for the purpose of the Union in the State of Kerala;

And whereas, under subsection (1) of section 3 of the Kerala Land Acquisition Act, 1961 (21 of 1962), Notification No. 33978/TB2/81/TF & P dated the 23rd February, 1982 has been published as S.R.O. No. 353/82 in the Kerala Gazette Extraordinary No. 164 dated the 11th March, 1982;

And whereas, under subsection (4) of section 19 of the said Act the Government of Kerala have directed that in view of the urgency of the case the provisions of section 5 of the Act shall not apply to the lands specified in the schedule below;

And whereas, the Government of Kerala are satisfied that the said ands have to be acquired for a ublic purpose ;

33/3343/S.

Now, therefore, the Government of Kerala hereby declare under section 6 of the said Act that the lands specified in the schedule below and measuring 0.2601 hectare be the same a little more or less are needed for a public purpose to wit for the formation of O.S 26/81 in connection with the doubling of rail track between Olavakkot and Shoranur Railway stations and under section 7 of the said Act, direct the Special Tahsildar for Land Acquisition (Railways), Ottapalam to take order for the acquisition of the said lands. Further, under subsection (1) of section 19 of the said Act the Government direct that the Collector may take possession of the said lands on the expiry of fifteen days from the date of publication of the notice mentioned in subsection (1) of section 9 of the said Act.

A plan of the lands is kept in the Office of the Special Tahsildar for Land Acquisition (Railways), Ottapalam and may be inspected at any time during office hours.

SCHEDULE

District—Palghat. Taluk—Ottapalam.

Village—Ottapalam-II. Desom—Ariyurthekkummuri.

(The extent given is approximate)

Sl. No.	*Survey/Subdivision No.*		*Classification*	*Extent in Hectare*
	Old	*New*		
1	128B/1	128B/1	S.C.W.	0.0081
2	128B/2A	128B/2A	Garden	0.1133
3	128B/2B	128B/2B	,,	0.0243
4	129B/3	129B/3	S.C.W.	0.0486
5	129B/2A	129B/2A	O. D.	0.0162
6	129B/2C	129B/2C	,,	0.0081
7	129B/1	129B/4	,,	0.0243
8	128A/1	128A/5	S.C.W.	0.0097
9	130/3	130/20	,,	0.0040
10	130/8	130/21	,,	0.0021
11	130/9	130/22	,,	0.0014
			Total	0.2601

Explanatory Note

(This is not part of the notification, but is intended to bring out the general purport.)

The President of India has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent, powers to acquire land for the use of Central Government in the State, and it

appears to the State Government that the lands mentioned in the Schedule above is needed for a public purpose viz., for the formation of L.P.O.S. 26/81 in connection with the doubling of rail track between Olavakot and Shoranur stations.

This declaration is intended for the above purpose.

എസ്. ആർ. ഒ. നമ്പർ 1089/82.—ഇൻഡ്യൻ ഭരണഘടനയുടെ 258-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നല്കപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച്, രാഷ്ട്രപതി 31-5-1963-ലെ 2/4/63/ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനപ്രകാരം കേരള സംസ്ഥാനത്ത് യൂണിയന്റെ ആവശ്യങ്ങൾക്കായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതു സംബന്ധിച്ച് 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21) അനുസരിച്ചുള്ള കേന്ദ്ര ഗവൺമെന്റിന്റെ ചുമതലകൾ കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേല്പിച്ചിരിക്കുന്നതിനാലും;

1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21) 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം 1982 മാർച്ച് 11-ാം തീയതിയിലെ 164-ാം നമ്പർ അസാധാരണ കേരള ഗസറ്റിൽ 1982 ഫെബ്രുവരി 23-ാം തീയതിയിലെ 33978/ടി.ബി2/81/റവ. എഫ് ആന്റ് പി. എന്ന നമ്പർ വിജ്ഞാപനം എസ്. ആർ.ഒ. 353/82 എന്ന നമ്പരിൽ പ്രസിദ്ധീകരിച്ചിരിക്കുന്നതിനാലും ;

പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് 4-ാം ഉപവകുപ്പുപ്രകാരം സംഗതിയുടെ അടിയന്തിരസ്വഭാവം പരിഗണിച്ച് പ്രസ്തുത ആക്റ്റ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമിക്കു ബാധകമാകുന്നതല്ല എന്നു കേരള സർക്കാർ നിർദ്ദേശിച്ചിരിക്കുന്നതിനാലും ;

പ്രസ്തുത ഭൂമി ഒരു പൊതുകാര്യത്തിനു വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് സർക്കാരിനു ബോദ്ധ്യമായിരിക്കുന്നതിനാലും ;

ഇപ്പോൾ, അതിനാൽ, പ്രസ്തുത ആക്റ്റ് 6-ാം വകുപ്പുപ്രകാരം താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ളതും 0.2601 ഹെക്ടർ വിസ്തീർണ്ണത്തിൽ അല്പം കൂടുതലോ കുറവോ വരുന്നതുമായ ഭൂമി ഒരു പൊതുകാര്യത്തിന്, അതായത്, ഒലവക്കോട്-ഷൊർണ്ണൂർ റയിൽവേ സ്റ്റേഷനുകൾക്കിടക്ക് റയിൽപ്പാത ഇരട്ടിപ്പിക്കുന്നതിനു ആവശ്യമാണെന്ന് കേരള സർക്കാർ ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവ് സ്വീകരിക്കാൻ പ്രസ്തുത ആക്റ്റ് 7-ാം വകുപ്പുപ്രകാരം ഒറ്റപ്പാലം സ്ഥലമെടുപ്പ് സ്പെഷ്യൽ തഹശീൽദാരോട് (റയിൽവേയ്സ്) നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു. മാത്രമല്ല പ്രസ്തുത ആക്റ്റ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിരിക്കുന്ന നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ 15 ദിവസം കഴിഞ്ഞാൽ കളക്ടർക്ക് ആ ഭൂമി കൈവശപ്പെടുത്താവുന്നതാണെന്നും പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം സർക്കാർ നിർദ്ദേശിക്കുന്നു.

സ്ഥലത്തിന്റെ പ്ലാൻ ഒറ്റപ്പാലം സ്ഥലമെടുപ്പ് സ്പെഷ്യൽ തഹശീൽദാരുടെ (റയിൽവേയ്സ്) ആഫീസിൽ സൂക്ഷിച്ചിട്ടുള്ളതും ആഫീസ് സമയത്ത് എപ്പോൾ വേണമെങ്കിലും അത് പരിശോധിക്കാവുന്നതുമാകുന്നു.

പട്ടിക

ജില്ല—പാലക്കാട്. താലൂക്ക്—ഒററപ്പാലം.

വില്ലേജ്—ഒററപ്പാലം II. ദേശം—അരിയൂർതെക്കുംമുറി.

(ഏകദേശ വിസ്തീർണ്ണമാണ് കൊടുത്തിട്ടുള്ളത്)

ക്രമനമ്പർ	സർവ്വെ നമ്പരും സബ് ഡിവിഷൻ നമ്പരും പഴയത്	പുതിയത്	തരംതിരിക്കൽ	വിസ്തീർണ്ണം ഹെക്ടറിൽ
1	128ബി/1	128ബി/1	എസ്. സി. ഡബ്ല്യു.	0.0081
2	128ബി/2എ	128ബി/2എ	തോട്ടം	0.1133
3	128ബി/28	128ബി/2ബി	,,	0.0243
4	129ബി/3	129ബി/3	എസ്. സി. ഡബ്ല്യു.	0.0486
5	129ബി/2എ	129ബി/2എ	ഒ. ഡി.	0.0162
6	129ബി/2സി	129ബി/2സി	,,	0.0081
7	129ബി/1	129ബി/4	,,	0.0243
8	128എ/1	128എ/5	എസ്. സി. ഡബ്ല്യു.	0.0097
9	130/3	130/20	,,	0.0040
10	130/8	130/21	,,	0.0021
11	130/9	130/22	,,	0.0014
			ആകെ	0.2601

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല, എന്നാൽ പൊതു ഉദ്ദേശം വ്യക്തമാക്കുന്നതിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.)

രാഷ്ട്രപതി 31-5-1963-ലെ 2/4/63/ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനം പ്രകാരം ഈ സംസ്ഥാനത്ത് കേന്ദ്ര സർക്കാരിന്റെ ഉപയോഗത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള അധികാരം കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിട്ടുള്ളതും മുകളിൽ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ഒരു പൊതുക്കാര്യത്തിനു അതായത് പാലക്കാട് ഷൊർണ്ണൂർ റയിൽവേ സ്റ്റേഷനുകൾക്കിടയ്ക്കു റയിൽപ്പാത ഇരട്ടിപ്പിക്കുന്നതിനോട് അനുബന്ധിച്ച് എൽ. പി. ഒ. എസ്. 26/81 നിർമ്മിക്കുന്നതിനു ആവശ്യമുണ്ടെന്ന് സംസ്ഥാന സർക്കാരിനു ബോദ്ധ്യം വന്നിട്ടുള്ളതും ആകുന്നു.

പ്രസ്തുത ആവശ്യം നിറവേററുന്നതിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ് ഈ പ്രഖ്യാപനം.

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government.

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